

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56675 of 2021

Arising Out of PS. Case No.-92 Year-2021 Thana- NAVINAGAR District- Aurangabad

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Ramesh Singh Son Of Late Deoraj Singh @ Devraj Singh Resident Of
Village Badwan P.S- Nabinagar, Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh, Adv

For the Opposite Party/s : Mr.Ramchandra Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 07-04-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 302/34 of the Indian Penal Code and Section 27 of Arms Act.

The prosecution case, in short, is that on 02.05.2021 the informant Ramkumar received a phone call of his nephew and was informed that Pawan (son of the informant) was gunned down and thrown at Panti Pond. The informant rushed there and saw his son lying dead. He found bullet injury over the head of his son. He further stated that on the alleged date of occurrence



his deceased son received a phone call of Ramesh Singh's daughter and went to meet her where he was killed Ramesh Singh, his daughter including 4-5 unknown persons.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case only on the basis of suspicion. He further submits that, during investigation, nothing has come against the petitioner and four witnesses were examined during investigation, they are close family members of the informant. No any independent witness has come forward to support the prosecution version and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 03.05.2021.

Learned counsel for the informant and learned A.P.P. for the State have opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Nabinagar P.S. Case No.92 of 2021 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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