

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56678 of 2021**

Arising Out of PS. Case No.-101 Year-2021 Thana- BAUNSI District- Banka

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Pramod Das Son Of Mundar Das R/O Village- Gangta, P.S.- Baunsi, Dist.- Banka

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Pandey, Adv

For the Opposite Party/s : Mr.Choubey Jawahar, 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.

All the accused persons including the petitioner had assaulted the mother of the informant. Thereafter, while going for treatment informant's mother succumbed to injury.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. He further submits that the



petitioner has not committed any offence. He has falsely been implicated in the present case only due to some other reason. He further submits that there is no eye witness of the alleged occurrence and informant himself not seen the occurrence. He further submits that it appears from the postmortem report that the dead body was received at 1.00 P.M. and the time of death about 6.00 to 8.00 hours before receiving the dead body. He further submits that it appears from the FIR that the informant claimed that he received the information from the deceased that the petitioner and other co-accused persons have committed murder and the time of information received from her mother is about 6.00 A.M. but the postmortem report contradicts the same. Petitioner is in custody since 18.06.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the aforesaid facts, 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 Bounsi P.S. Case No.101 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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