

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59119 of 2021

Arising Out of PS. Case No.-296 Year-2018 Thana- CHAPRA MUFFASIL District- Saran

Randhir Thakur @ Sharma Son of Suresh Thakur Resident of Village -
Yashoda Math, P.S.- Kanti, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nachiketa Jha, Advocate

For the Opposite Party/s : Mr. Navin Kr. Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 18-04-2022 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 394 and 302 of the Indian Penal Code.

As per prosecution case, in brief, it is alleged by the informant that his brother-in-law Gautam Kumar was driver and was carrying Dalda on DCM Pick-Up Van to Siwan and in way some unknown persons killed him and looted the DCM Pick-up Van loaded with Dalda.

Learned counsel for the petitioner submits that the



petitioner has clean antecedents and the petitioner is not named in the F.I.R. The name of the petitioner transpired on the basis of confessional statement of co-accused Jalandhar Das @ Santosh Das. There is no recovery of any articles from the possession of the petitioner and till date no test identification parade has been conducted by the prosecution and similarly situated co-accused person namely Rambabu Gupta has been granted bail by a Coordinate Bench of this Court vide order dated 20.09.2018 in Cr. Misc. No. 56298 of 2018 and another co-accused namely Jalandhar Das @ Santosh Das has also been granted bail vide order dated 19.11.2018 in Cr. Misc. No. 62492 of 2018 respectively and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 03.07.2021.

Learned APP for the State has 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/- (Rupees 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 Sessions Trial No. 108 of 2020 arising out of Chhapra Muffasil



P.S. Case No. 296 of 2018, 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

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

(3) 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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