

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49502 of 2022

Arising Out of PS. Case No.-126 Year-2021 Thana- MAHNAR District- Vaishali

Chandeswar Das, Son of Jageshwar Das R/o Ward No.-7, Village-Basdeopur
Chandel, P.S.-Mahnar, District- Vaishali- 844501

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabindra Nath Tiwari, Advocate

Mr. Rakesh Kumar Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 13-12-2022 Learned counsel for the petitioner is permitted to remove the defect/(s), as pointed out by office, if any, within a period of four weeks from today.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner in this case seeks regular bail in connection with Mahnar P.S. Case No. 311/2022 for the offences punishable under Sections 302, 201 and 120 (B) of the I.P.C.

As per the prosecution case, the allegation against the petitioner is that he reached the place of occurrence, lifted the knife found near the body of the deceased and washed it and



threw it.

Learned counsel for the petitioner submits that there is no direct allegation against the petitioner for murder of the victim. Chargesheet has already been submitted by the police.

The petitioner is in judicial custody since 19.02.2022 and he has no criminal antecedent.

Learned counsel for the petitioner has further submitted that main assailant Rajan Das @ Rajan Kumar @ Rajan Kumar Das has already been granted bail by Coordinate Bench of this Court vide order dated 17.05.2022 in Cr. Misc. No.58065 of 2021.

Learned APP for State opposed the bail of petitioner and submits that the petitioner tried to hide the evidence.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned J.M.-1st Class, Vaishali at Hajipur in connection with Mahnar P.S. Case No. 126/21, subject to 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 witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Sunil Dutta Mishra, J)

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