

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60876 of 2021

Arising Out of PS. Case No.-236 Year-2019 Thana- RAJAPAKAR District- Vaishali

1. Awadhesh Singh @ Gabbar Son of Late Rajendra Singh Resident of village - Gaushpur Bariyarpur, P.S. - Rajapakar, District - Vaishali.
2. Nand Kishore Singh Son of Late Nagendra Singh Resident of village - Gaushpur Bariyarpur, P.S. - Rajapakar, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 29-09-2022 Let the defect(s), if any, be removed within two weeks from today.

Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners seek regular bail in connection with Rajapakar P.S. Case No. 236 of 2019 lodged under Sections 302, 120-B of the I.P.C.

As per the prosecution case, there were 5 named and 5-6 unnamed accused persons are there in the F.I.R. The allegation of murder of informant's maternal uncle is there according to which on 17.10.2018, a dispute took place between the childrens, due to which a criminal case has been lodged. The

accused persons of the said case were putting pressure upon the maternal uncle of the informant to withdraw the case. It has been alleged that the informant has seen in the light of his motorcycle near the place of occurrence including the present petitioners, where the maternal uncle of the informant found brutally injured whose death took place in the nearby hospital at Hajipur.

Learned counsel for the petitioner submits that petitioners are innocent and have committed no offence. There is no eye witness of the said event. Only suspicion has been created. He further submits that petitioners are man of clean antecedent and they are in custody since 01.08.2021, charge sheet has already been filed in this case.

Learned counsel for the State opposes the prayer for bail and submits that the informant have seen the accused at a nearby place.

In the present facts and circumstances of this case and the submissions made above, let the petitioners above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Vaishali at Hajipur in connection with Rajapakar P.S. Case No. 236 of 2019, subject to

the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioners shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioners.

C. The petitioners shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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