

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62572 of 2021**

Arising Out of PS. Case No.-199 Year-2021 Thana- MAHARAJGANJ District- Siwan

Samrat Kumar S/O Late Ishwar Chandra Singh R/O Village-Bangra, P.S.-
Maharajganj, District-Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Roy, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 20-04-2022 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 307, 326, 302, 325, 34 of the Indian Penal Code.

As per prosecution case, in brief, it is alleged by the informant Imaman Mansuri that on 05.08.2021 the son of the informant namely Arman Mansuri along with his friend Asaraf Ansari had gone at Maharajganj market by motorcycle and when he was returning at Rampreet mode informant's son was fired by three unknown miscreants who was in *Apache* vehicle due to



which the informant's son badly injured and during treatment he died. It is further alleged that three unknown persons has also killed one another person namely Sudama Yadav and during fleeing they also discriminating firing due to which two other persons namely Ashok Patel and Manish Kumar was also badly injured.

Learned counsel for the petitioner submits that the petitioner is not named in the F.I.R. and he has been falsely implicated in present case only on the basis of suspicion. He further submits that the name of the petitioner has transpired only on the basis of confessional statement of Rahul and Amit Patel. He further submits that during investigation nothing material has been found against the petitioner. Further submits that from the same occurrence another F.I.R. has been lodged by one Minni Kumari, wife of deceased Sudama Yadav. She also not named the petitioner and police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 08.08.2021.

Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries four more cases other than the present one.

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 Maharajganj P.S. Case No. 199 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 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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