

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67437 of 2021

Arising Out of PS. Case No.-58 Year-2021 Thana- RISIYAP District- Aurangabad

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SANJAY SINGH Son of Late Ram Naresh Singh Resident of Village -
Badhka Gaon, P.S.- Riciyap, District - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shivam, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 17-05-2022 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in a case registered for
the offence under Sections 302, 201 and 34 of the Indian
Penal Code.

The father of the informant is subjected to assault
by the petitioner and his family members due to which he
died.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has falsely been implicated in this case. He
further submits that the alleged occurrence took place on
27.06.2021 whereas the F.I.R. has been filed on 03.07.2021



after lapse of almost eight days without explaining the plausible delay which itself creates doubt over the prosecution version. He further submits that there is no eye witness to the alleged occurrence and only on the basis of suspicion, petitioner has been implicated in this case. He further submits that as a matter of fact the deceased died due to cardiac arrest and the doctor has also supported the case of the petitioner. He further submits that there is admitted land dispute between the parties and the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in custody since 28.05.2019. The petitioner is rotting in judicial custody since 06.09.2021.

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

Considering the facts and circumstances of the case, let the, above named, petitioner 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 Risiyap P.S. Case No. 58 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 canceled 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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