

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67767 of 2021**

Arising Out of PS. Case No.-107 Year-2018 Thana- DESARI District- Vaishali

Bablu Kumar Singh Son of Late Bindeshwar Singh Resident of Village -
Kumhar Kol Bujurg, P.S.- Desari (Sahdei O.P.) in the District of Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar, Advocate

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

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

3 16-05-2022 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 302, 201, 34 of the Indian Penal Code.

The F.I.R. of the occurrence of murder is against unknown. The dead body of the deceased was lying in the orchard situated at behind the Thakurbari.

Learned counsel for the petitioner submits that the petitioner has clean antecedents and he has been falsely implicated in the present case. In fact, the petitioner is not named



in the F.I.R. and the name of the petitioner has been transpired only on the basis of suspicion. Further submits that the petitioner has not committed any offence nor any thing has been recovered from his possession rather he has been implicated in the present case due to village politics. The petitioner is in custody since 26.05.2018.

Vide order dated 26.04.2022, a report was called for with regard to the present stage of the trial. The report reveals that on 20.09.2020 charge under Section 302, 201 of the Indian Penal Code has been framed against the petitioner and the report further reveals that till date prosecution has not examined any witness.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case and the period of custody already suffered since 26.05.2018, 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 Desari (Sahdei O.P.) P.S. Case No. 107 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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