

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72205 of 2021

Arising Out of PS. Case No.-219 Year-2021 Thana- HATHUA District- Gopalganj

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Rajendra Sah @ Rajendra Prasad Gupta Son Of Late Shrikishun Prasad
Resident Of Village- Chhota Koirauli, P.S- Mirganj Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Sr. Adv. with Mr. Dilip Kumar Roy, Adv.
For the Opposite Party/s :		Mr. Jitendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 17-10-2022 Let the defect(s), if any, be removed within two weeks
from today.

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

The petitioner seeks regular bail in connection with
Hathua P.S. Case No. 219 of 2021 lodged under Section 302/34
of the I.P.C. read with Section 27 of the Arms Act.

As per the prosecution case, the allegation has been
made against 7 named accused persons that on their instance,
the killing of son of the informant took place and this statement
was repeated twice in the F.I.R.

Learned counsel for the petitioner submits that in the
entire case, there is only suspicion has been casted against 7

accused persons including the present petitioner. Learned counsel submits that petitioner is in custody since 10.09.2021 having clean antecedent, charge sheet has already been filed in this case. Learned counsel further submits that the 2 co-accused has been granted bail by the Session Court itself and one co-accused, namely, Amit Singh @ Fauzi has been granted bail by this Bench vide order dated 11.10.2022 passed in Cr. Misc. No. 23566 of 2022.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., XIV, Gopalganj in connection with Hathua P.S. Case No. 219 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner 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 petitioner.

C. The petitioner 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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