

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2436 of 2023**

Arising Out of PS. Case No.-154 Year-2022 Thana- KADWA District- Katihar

PRAVIN RAM SON OF BAIJNATH RAM R/O VILL.- BASANTPUR, P.S.-
KADWA, DISTT.- KATIHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suresh Prasad Sah @ Baranwal, Adv.

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

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

3 12-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since
27.05.2022 in connection with Kadwa P.S. Case No. 154/2022,
S. Tr. No. 567/2022, F.I.R. dated 26.05.2022, for the offences
punishable under Sections 302, 201 and 34 of the IPC.

According to prosecution case, the allegation against
the petitioner is of snatching Rs.500/- from the pocket of the
deceased and he threatened for killing him tow days prior to the
alleged occurrence.

Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has falsely been
implicated in the present case merely on the basis of enmity
between the parties. He further submits that the informant is not



an eyewitness of the alleged occurrence and only on the basis of suspicion, the name of the petitioner has falsely been implicated in the present case. He further submits that no cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence and the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 27.05.2022.

Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 the learned A.D.J.-IV, Katihar in connection with Kadwa P.S. Case No. 154/2022, S. Tr. No. 567/2022, subject to 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



witnesses, 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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