

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6441 of 2023

Arising Out of PS. Case No.-336 Year-2021 Thana- PIPRA District- Supaul

Chintu Paswan @ Chintu Kumar S/o Prabhu Paswan R/o Village- Bairia,
Ward no. 13, P.S.- Supaul, Distt- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bal Krishna Mishra, Advocate
For the Opposite Party/s : Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 19-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail, who is in custody since
12.07.2022, in connection with Pipra P.S. Case No. 336 of 2021,
F.I.R. dated 29.11.2021 registered for the offences punishable
under Section 302 of the Indian Penal Code and Section 27 of the
Arms Act.

As per the F.I.R., the informant who is grandson of the
deceased has alleged that he was sleeping along with his
grandfather on 27.11.2021 in the house. In the night one person
came and killed his grandfather. The accused had come on two
motorcycles and three persons riding it. It has further been
alleged that before his death his grandfather was threatened with
dire consequences by Amal Dutt Ram and Prem Prakash Kumar.



Learned counsel for the petitioner submits that the petitioner has clean antecedents and he has been falsely implicated in the present case. He further submits that the petitioner is not named in the F.I.R. and the name of the petitioner has been transpired during investigation on the basis of the confessional statement of co-accused persons namely Chandan Devi and Ajit Kumar and except the confessional statement of co-accused persons, no other cogent material has come to suggest the involvement of the petitioner in the present occurrence. He further submits that similarly situated co-accused persons namely Chandan Devi has been granted bail by a Coordinate Bench of this court vide order dated 27.09.2022 in Cr. Misc. No. 37753 of 2022 and another co-accused person namely Ajit Kumar has been granted bail by a Coordinate Bench of this court vide order dated 29.03.2023 passed in Cr. Misc. No. 18889 of 2023 respectively. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 12.07.2022.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

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



Additional Chief Judicial Magistrate-VI, Supaul in connection with
Pipra P.S. Case No. 336 of 2021, 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 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 antecedents, 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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