

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10938 of 2023

Arising Out of PS. Case No.-487 Year-2022 Thana- JAGDISHPUR District- Bhojpur

RAMJEET PAL Son of Shiv Parsan Pal R/v- Pilapur, P.S.- Jagdishpur,
District- Bhojpur, Bihar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar, Adv.

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 24-06-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned Additional Public
Prosecutor for the State.

Petitioner seeks bail, who is in custody since
10.10.2022 in connection with Jagdishpur P.S. Case
No.487/2022, F.I.R. dated 01.10.2022, for the offences
punishable under Sections 302, 307, 34 of the IPC & Section 27
of the Arms Act.

According to prosecution case, the informant has
belief that the petitioner along with other co-accused persons
have killed the uncle of the informant with the motive to grab
the land of the deceased.

Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has falsely been



implicated in the present case only on the basis of suspicion. He further submits that the informant is not an eyewitness of the alleged occurrence and from bare perusal of the F.I.R. it appears that there is general and omnibus allegation against all the accused persons including the petitioner. There is no specific allegation of any assault or overt act attributed against the petitioner and similarly, co-accused, namely, Shashi Bhushan Pal, Amarjeet Pal @ Chhotu and Indrajeet Pal have been granted bail by a co-ordinate Bench of this Court vide order dated 18.05.2023 passed in Cr. Misc. No. 21201/2023 and Cr. Misc. No. 21726/2023 respectively. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 10.10.2022.

Learned counsel for the informant as well as learned Additional Public Prosecutor for the State on the other hand 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.C.J.M.-1st, Bhojpur at Ara in connection with Jagdishpur P.S. Case No. 487/2022, 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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