

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13948 of 2023

Arising Out of PS. Case No.-324 Year-2019 Thana- GAIGHAT District- Muzaffarpur

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Raja Kumar S/o Sri Mahendra Singh R/o Village- Baijnathpur Khanpur, P.S.-
Ahiyapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Ajay Kumar Thakur, Advocate
	Mr. Ritwik Thakur, Advocate
	Mr. Vaishnawi Singh, Advocate
For the Opposite Party/s :	Mr. Binod Kumar, APP
	Mr. Sanjeet Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 10-05-2023 Heard learned counsel for the petitioner, learned
counsel for the Informant and learned APP for the State.

The petitioner seeks bail in connection with Gaighat
P.S. Case No. 324 of 2019 registered for the offence punishable
under Section 302 of the Indian Penal Code.

This is case of murder of brother of the informant.
FIR was lodged against unknown. The name of the petitioner
was transpired on the confessional statement of co-accused
Sonu Kumar.

Learned counsel for the petitioner submits that the
name of the petitioner has come on the confessional statement
of one Sonu Kumar in another case and there is no material to



connect the petitioner with the crime in question. He has falsely been implicated in this case and no incriminating article is recovered from the petitioner. Charge sheet has already been submitted in this case against the petitioner and there is no chance of absconding or tampering with the prosecution evidence. Except one case of NDPS Act there is no other criminal antecedent against the petitioner. He is languishing in jail custody since 29.07.2022.

Learned Additional Public Prosecutor appearing for the State assisted by learned counsel for the informant has opposed the prayer for regular bail of the petitioner.

Considering the facts and circumstances of the case and the submissions of learned counsel for the parties, the court is inclined to grant bail to the petitioner. 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 concerned Court in connection with Gaighat P.S. Case No. 324 of 2019 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.



2. Petitioner shall not tamper with the prosecution evidence in any manner whatsoever.

3. In case of absence on two consecutive dates without sufficient reason or if the petitioner misuse the liberty or violate any of the conditions imposed upon him his bail bond will be liable to be cancelled by the Court concerned.

(Sunil Dutta Mishra, J)

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