

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16769 of 2023

Arising Out of PS. Case No.-356 Year-2022 Thana- KUMAR KHAND District- Madhepura

AMARDEEP KUMAR S/o Late Ghanshyam Yadav Resident of village-
Chharapatti, Police Station-Kumarkhand, District-Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 11-05-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Kumarkhand P.S. Case No. 356 of 2022 dated 18.10.2022
registered for the offence under Sections 365, 302, 201, 120(B)
and 34 of the Indian Penal Code.

The son of the informant is alleged to have been killed
by the petitioner in connivance with other accused persons.

Learned counsel appearing for the petitioner submits
that the petitioner, who is of clean antecedent, is innocent and
has falsely been implicated in this case. He further submits that
the allegation as alleged in the F.I.R. is false and fabricated and
merely based on suspicion. The petitioner has not committed any
offence as alleged in the F.I.R. He further submits that the police



after investigation has submitted final form in favour of the petitioner but the learned Chief Judicial Magistrate, Madhepura deferring with the police report erroneously taken cognizance against the petitioner. Save and except the suspicion, no cogent material has surfaced during course of investigation suggesting the involvement of the petitioner in the alleged occurrence. The petitioner is rotting in judicial custody since 19.10.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 learned A.C.J.M.-11, Madhepura in connection with Kumarkhand P.S. Case No. 356 of 2022 with 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled 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.

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)

brajesh/-

U		T	
---	--	---	--

