

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13962 of 2023

Arising Out of PS. Case No.-223 Year-2022 Thana- BHAGWANPUR District- Kaimur
(Bhabua)

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Yogendra Patel @ Guru S/O Shiv Pujan Singh @ Shiv Pujan Chaudhary R/v -
Orgaon (Nadula), P.S.- Bhagwanpur, District- Kaimur (Bhabua)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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with
CRIMINAL MISCELLANEOUS No. 13817 of 2023

Arising Out of PS. Case No.-223 Year-2022 Thana- BHAGWANPUR District- Kaimur
(Bhabua)

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GANESH PATEL S/o Bechan Chaudhary @ Bechan Singh R/o Village-
Orgaon (Nadula), P.S.- Bhagwanpur, Distt- Kaimur (Bhabua).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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with
CRIMINAL MISCELLANEOUS No. 19151 of 2023

Arising Out of PS. Case No.-223 Year-2022 Thana- BHAGWANPUR District- Kaimur
(Bhabua)

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Pradumann Patel Son Of Balasehwar Chaudhary Resident Of Village -
Nadulla Oragaon, P.S. - Bhagwanpur, Distt. - Kaimur At Bhabua

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 13962 of 2023)

For the Petitioner/s : Mr.Kumar Sunil, Advocate

For the Opposite Party/s : Mr.Ram Bilash Roy Raman, APP

(In CRIMINAL MISCELLANEOUS No. 13817 of 2023)

For the Petitioner/s : Mr.Kumar Sunil, Advocate

For the Opposite Party/s : Mr.Ram Bilash Roy Raman,APP

(In CRIMINAL MISCELLANEOUS No. 19151 of 2023)

For the Petitioner/s : Mr.Rajani Kant Pandey, Advocate

For the Opposite Party/s : Mr.Md. Anbzarul Haque Sahara,APP



CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 11-07-2023 Heard learned counsel for the petitioners, learned counsel for the informant and the learned A.P.P. for the State.

The petitioners seek bail, who are in custody since 22.10.2022 in connection with Bhagwanpur P.S.Case No.223 of 2022, F.I.R. dated 17.10.2022 registered for the offence punishable under Section 363, 324, 302, 201, 34 of the Indian Penal Code.

The FIR of the occurrence of murder is against unknown.

Learned counsel appearing for the petitioners submits that the petitioners have clean antecedent and they have falsely been implicated in the present case. Further submits that the petitioners are not named in the FIR. The name of the petitioners has been transpired during investigation on the basis of the confessional statement of the co-accused, namely, Sonu Patel which was recorded in para-47 of the case diary. Further submits that except confessional statement of the co-accused person and the confessional statement of the petitioners, no other material has come during investigation against the petitioners to suggest the involvement of the petitioners in the present occurrence and the police, after investigation, submitted



chargesheet against the petitioners and the petitioners are in custody since 22.10.2022.

Learned counsel for the informant and learned APP for the State have vehemently opposed the prayer for bail of the petitioners and submits that the bail petition of co-accused person, namely, Nilesh Patel has been rejected by a Coordinate Bench of this Hon'ble Court vide order dated 18.05.2023 passed in Cr. Misc. No.24081 of 2023 and it has come during investigation that the petitioners have also confessed their guilt in their confessional statement. Further submits that the victim was last scene with co-accused, namely, Sonu Patel.

Considering the facts and circumstances of the case, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-V, Kaimur (Bhabhua) in connection with Bhagwanpur P.S.Case No.223 of 2022, with the following conditions:-

(1) Petitioners 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 their absence on two consecutive dates without sufficient



reason, their bail bond shall be cancelled by the Court below.

(2) If the petitioners tamper 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 petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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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