

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22047 of 2023

Arising Out of PS. Case No.-831 Year-2022 Thana- GAURICHAK District- Patna

Pappu Kumar Son Of Late Shyam Bihari Rai Resident Of Mohalla - Dhira
Chak, P.S. - Gardanibagh, Distt.- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Arind Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 14-07-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
01.01.2023 in connection with Gaurichak P.S.Case No.831
of 2022, F.I.R. dated 16.12.2022 registered for the offence
punishable under Sections 302 and 201 of IPC.

3. The FIR of the occurrence of murder is against
unknown.

4. Learned counsel appearing for the petitioner
submits that the petitioner has clean antecedent and he has
falsely been implicated in the present case. Petitioner is not
named in the FIR. The name of the petitioner has been
transpired during investigation on the basis of the



confessional statement of co-accused persons, namely, Kameshwar Prasad and Mahesh Mahto. Further submits that as per confessional statement of the co-accused persons, there is no accusation of any assault or overt-act attributed against the petitioner, at best, the petitioner accompanied with other co-accused persons and except the confessional statement of the co-accused persons, no other material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 01.01.2023.

5. Learned APP for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, 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 learned A.C.J.M.-VI, Patna City, Patna in connection with Gaurichak P.S.Case No.831 of 2022, with the following conditions:-

(I) 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 cancelled by the Court below.

(II) 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.

(III) 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)

Nitesh/-

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

