

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23163 of 2023

Arising Out of PS. Case No.-127 Year-2020 Thana- SIGAUDI District- Patna

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PAPPU KUMAR Son of Sri Jalendra Singh @ Jagendra Singh @ Jitendra Singh Resident of village - Rampur, P.S.- Kalpa, District - Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Sr. Advocate Ms. Vaishnavi Singh, Advocate
For the Opposite Party/s :		Mr. Tarkeshwar Nath Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 18-05-2023 Heard Mr. Ajay Kumar Thakur, learned Senior
counsel for the petitioner and learned APP for the State.

Petitioner seeks bail, who is in custody since 27.08.2022, in connection with Sigori P.S. Case No. 127 of 2020, F.I.R. dated 05.08.2020 registered for the offences punishable under Sections 342, 365, 120(B)/34 of the Indian Penal Code but later on Section 302 of the Indian Penal Code was added.

As per the prosecution case, petitioner along with other F.I.R. named co-accused persons abducted the mother of the informant and wrongfully confined her. It is further alleged that mother of the informant owned some land and after the



registration of land, the informant suspects that the accused persons may do any untoward incident with her mother.

Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case merely on the ground that the petitioner is the grand son (maternal) of the deceased. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. and during investigation no other cogent material has come to suggest the involvement of the petitioner in the present occurrence and the informant is not an eye witness of the alleged occurrence. He further submits that only on the basis of suspicion the petitioner and other co-accused persons have been falsely implicated in the present case and the postmortem report of the deceased suggests that the cause of death due to heart attack and no *anti mortem* injury was found on the person of the deceased. He further submits that co-accused persons namely Maheshwari Devi and Jalender Singh have been granted bail by a Coordinate Bench of this court vide order dated 29.01.2022 passed in Cr. Misc. No. 55517 of 2021 and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 27.08.2022.



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

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Danapur, Patna in connection with Sigori P.S. Case No. 127 of 2020, 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 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 witness, 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 antecedents, 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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