

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31085 of 2022

Arising Out of PS. Case No.-3 Year-2022 Thana- PALASI District- Araria

Md. Jaim Son of Safid Resident of Village - Barhat Ward No. 01, Police Station- Palasi, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 31539 of 2022

Arising Out of PS. Case No.-3 Year-2022 Thana- PALASI District- Araria

Md. Haseeb @ Haseeb Son Of Shagir R/O Village- Barhat Ward No.-01, P.S.- Palasi, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 31085 of 2022)

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No. 1, A.P.P.

(In CRIMINAL MISCELLANEOUS No. 31539 of 2022)

For the Petitioner/s : Mr. Md. Ziaul Quamar, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 13-01-2023 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State in the virtual court proceeding.

Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of four weeks from today.



Petitioners seeks bail in a case registered for the offences punishable under Sections 302, 201 and 34 of the Indian Penal Code.

According to prosecution case, the informant received information about a dead body of a female child of 9 years old lying behind the house of Panchanand Manjhi. When he reached there he found that the co-accused person, namely, Rajesh Pandit trying to run away from there, but he was caught and on interrogation he told that he along with the petitioners have committed the murder of his daughter and threw her dead body.

Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that the name of the petitioners have been transpired on the basis of the disclosure made by the co-accused person, namely, Rajesh Pandit. He further submits that there is no eyewitness of the alleged occurrence. He further submits that nothing has come against these petitioners. He further submits that the police after investigation submitted the charge sheet against these petitioners. The petitioners are in custody since 06.01.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.



Considering the aforesaid facts and circumstances, 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 the learned Court below where the case is pending in connection with Palasi P.S. Case No. 03 of 2022, subject to 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 his 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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