

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37043 of 2022

Arising Out of PS. Case No.-157 Year-2022 Thana- JAGDISHPUR District- Bhojpur

Saddam Idrishi @ Genda Son Of Late Belal Idrishi R/O- Mohalla- Kasab
(Kasai Mohala), Ward No.-14, P.S.- Jagdishpur, Dist.- Bhojpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR .

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

6 08-02-2023 Heard learned counsel for the petitioner and learned
counsel for the informant as well as learned Additional Public
Prosecutor for the State.

Let the defects, as pointed out by the office, be
removed within a period of four weeks from today.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 302/34 of the Indian Penal
Code.

According to prosecution case, allegation against the
petitioner is to assault and murder the son of the informant.

Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case on the basis of circumstantial
evidence. He further submits that there is no eye witness of the



alleged occurrence and it appears from the F.I.R. that four persons have been named as accused in the present case. He further submits that the police after investigation submitted the charge sheet against the petitioner under section 304 of the Indian Penal Code and also submitted final form against the three other accused persons. He further submits that except the suspicion, no other cogent material has come during investigation against the petitioner. The petitioner is in custody since 01.04.2022.

The learned counsel for the informant as well as learned Additional Public Prosecutor for the State have vehemently opposed the prayer for bail of the petitioner and fairly submits that the police after investigation submitted the charge sheet under Section 304 of the Indian Penal Code against this petitioner.

Considering the aforesaid facts and circumstances, 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 the learned Court below where the case is pending in connection with Jagdishpur P.S. Case No. 157 of 2022, subject to 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 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 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)

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