

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37235 of 2023

Arising Out of PS. Case No.-112 Year-2023 Thana- MAHUA District- Vaishali

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RAJEEV KUMAR @ SANKI PANDIT SON OF SRI ABHIMANYU RAY
RESIDENT OF VILLAGE- KANHAULI MANSHIPUR, PS- MAHUA,
DISTRICT- VAISHALI

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vaishnavi Singh

For the Opposite Party/s : Mr. Rajesh Kumar

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 07-07-2023 Heard the parties.

The petitioner is in custody since 4.5.2023 in connection with Mahua P.S. Case No. 112 of 2023 for the offence punishable under Sections 302/34 of the I.P.C. lodged on 25.2.2023 by the informant Ramesh Kumar.

The prosecution story, in brief, is that the informant alleged that on 24.2.2023, his father had gone to take money of 'Kalash of Gayatri Yagya' which is going on in play ground of Kanhauli village and after taking the money, he was returning and after some distance from 'Yagyashala' some unknown persons killed his father by firing on him who died on the spot.

Learned counsel for the petitioner contends that the name of the petitioner has come in the confessional statement



of Sonu Kumar resulting into his custody on 4.5.2023 (as stated in para-10 of the bail petition) and further he do not have criminal antecedent.

Learned APP opposes the prayer.

Taking into account the fact that FIR is lodged against some unknown, name of the petitioner has come in the confessional statement of Sonu Kumar, this Court is inclined to extend him the privilege of bail with conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Mahua P.S. Case No. 112 of 2023 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his



attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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