

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35164 of 2022

Arising Out of PS. Case No.-677 Year-2021 Thana- BEGUSARAI TOWN District- Begusarai

KRISHNA MURARI Son of Late Raj Kumar Singh Resident of Village -
Baghi, P.S.- Town (Lohianagar), District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 35357 of 2022

Arising Out of PS. Case No.-677 Year-2021 Thana- BEGUSARAI TOWN District- Begusarai

BALRAM PASWAN Son of Kartik Paswan Resident of Village - Baghi, P.S.-
Town (Lohianagar O.P.), District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 39655 of 2022

Arising Out of PS. Case No.-677 Year-2021 Thana- BEGUSARAI TOWN District- Begusarai

ANKIT KUMAR Son of Paro Singh @ permanand Singh Resident of Village
- Baghi, P.s.- Begusarai Town (Lohia Nagar O.P.), District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 35164 of 2022)

For the Petitioner/s : Mr.Raj Nandan Prasad

For the Opposite Party/s : Mr.Binod Kumar

(In CRIMINAL MISCELLANEOUS No. 35357 of 2022)

For the Petitioner/s : Mr.Arjun Prasad

For the Opposite Party/s : Mr.Ram Sumiran Rai

(In CRIMINAL MISCELLANEOUS No. 39655 of 2022)

For the Petitioner/s : Mr.Nakul Kumar Jamuar

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR



ORAL ORDER

3 02-02-2023 Heard Ld. counsel for the petitioners and Ld. APP
for the State.

The petitioners seek bail in connection with Town P.S. Case No. 677 of 2021, registered for the offences punishable under Sections 147, 148, 149 and 302 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case as emerging from the FIR is that on 04.11.2021 there was altercation taken place between the informant's son and accused persons. Later on, the informant's son was shot dead by the petitioners and their associates.

Ld. counsel for the petitioners submit that the petitioners are innocent and have falsely been implicated in this case. They further submit that the case is based only on suspicion and hearsay and there is no concrete evidence against these petitioners. They also submit that other co-accused person, namely, Ranjit Singh has already been enlarged on bail by a co-ordinate Bench of this Court vide order dated 27.09.2022 passed in Cr. Misc. No. 29770 of 2022. They further submit that investigation in this case is



complete and charge-sheet has already been submitted but charge has not framed till date.

They further submit that the petitioners, namely Krishna Murari, Balram Paswan and Ankit Kumar have been languishing in jail since 13.11.2021, 19.11.2021 and 14.11.2021 respectively.

It has also been stated in paragraph no. 3 of the bail petition that the petitioners have no criminal antecedents.

It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one.

However, Ld. APP for the State vehemently opposes the prayer of the petitioners for bail.

Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioners, above-named, to be enlarged on bail on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Ld. concerned Trial Court in connection with Town P.S.



Case No. 677 of 2021, **after framing of charge, if not already framed**, on the following conditions:

(i) The petitioners will make themselves available for interrogation by a police officer/court as and when required.

(ii) The petitioners will undertake that investigation/trial will not hamper on account of their absence or non-cooperation. They must be available to the police or the court whenever their presence is required.

(iii) The petitioners shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, Ld. court below shall cancel the bail bond of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.



(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bond of the petitioners.

Ld. counsel for the petitioners is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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