

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43803 of 2022

Arising Out of PS. Case No.-313 Year-2020 Thana- GHOSI District- Jehanabad

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Sudama Kewat, S/o Late Gorakh Kewat, R/o Village - Chunukpur, P.S.-
Ghosi, District – Jehanabad. Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner : Mr. Rupesh Kumar, Advocate
For the State : Mr. Md. Fahimuddin, APP
For the Informant : Mr. Pramod Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 17-05-2023 Heard learned counsel for the petitioner, learned counsel
for the informant and learned APP for the State.

The petitioner in this case has renewed his prayer for regular bail in connection with Ghosi P.S. Case No. 313 of 2020 registered for the offences punishable under Sections 302, 34 of the Indian Penal Code. He has no criminal antecedent and has remained in custody since 27.07.2020.

Earlier, the prayer for regular bail of the petitioner was rejected by this Court vide order dated 04.09.2021 passed in Cr. Misc. No. 13545 of 2021.

Learned counsel for the petitioner at this stage has by filing supplementary affidavits brought on record fresh materials in form of depositions of the informant as well as some of the prosecution witnesses who have categorically stated that this petitioner was not involved in the murder of the son of the informant.

Learned counsel for the informant does not dispute that the informant has not deposed against this petitioner.

Learned APP for the State is present and does not dispute



the materials placed on the record.

In the circumstances stated hereinabove, this Court directs release of the petitioner on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad in connection with Ghosi P.S. Case No. 313 of 2020, subject to the condition as laid down under Section 437 (3) Cr.P.C.

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 steps 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.

And further condition that the petitioner shall appear in course of trial on each and every date fixed in the matter and in case of two consecutive defaults in putting appearance, the learned court below shall cancel his the bail bond in accordance with law.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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