

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44913 of 2022

Arising Out of PS. Case No.-116 Year-2022 Thana- GOVINDPUR District- Nawada

Sachin Kumar @ Sachin Ram @ Sunny Kumar Son of Devendra Rajwansi @
Devendra Rajbanshi, R/O Village- Paranpura (Paranpur), P.S.- Sirdalla,
District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arjun Prasad, Advocate

For the Opposite Party/s : Mr. Narsingh Tanti, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 23-02-2023 Heard learned counsel for the petitioner and 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, 364/34 of the Indian
Penal Code.

According to prosecution case, in brief, is that as per
written report of the informant namely, Sitarama on 12.04.2022
in evening his daughter namely X went out from home to satisfy
her nature call but when she did not return back to her home
then informant and his family members started searching her. It
is further alleged that whole night search was made but she



could not be traced out. On 14.04.2022 it came into knowledge that accused-petitioner namely Sachin Ram @ Sachin Kumar and one another Vicky Kumar have abducted to his daughter and they have kept her in one rented room situated at village Pachrukhi, P.S. Akbarpur, then informant went to the village Pachrukhi but said rented room was found to be locked. When matter was inquired then people of that vicinity told that Baby Devi, Sanjay Ram, Vicky Kumar and Sachin Ram have gone away by one vehicle along with one girl. Informant has further alleged that with view to search to the said girl they went to their relatives but nothing could be come into knowledge. It is further alleged that on 15.04.2022 when some persons went to Tal of Puraini with view to harvest the wheat crops then having seen the dead body of one girl they raised noise. So, being informed about one dead body informant and his other family members went at the said place and having seen the dead body informant identified the dead body of his daughter. Informant has further alleged that aforesaid accused persons abducted his daughter and after coming rape with her they caused murder to her and thrown her dead body into well.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been



implicated in the present case only on the basis of suspicion. He further submits that the informant is not the eye witness of the alleged occurrence and except the confessional statement of co-accused and self confessional statement of the petitioner, no other cogent material has come during investigation against the petitioner.

Vide order dated 06.02.2023 a report was called for with regard to the present stage of trial. Report dated 14.02.2023 reveals that the charge was framed against the petitioner on 13.01.2023 and the case is fixed for prosecution evidence.

Learned counsel for the petitioner further submits that petitioner is in custody since 19.04.2022.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the 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 Govindpur P.S. Case No. 116 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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