

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47121 of 2022

Arising Out of PS. Case No.-24 Year-2022 Thana- MIRGANJ District- Purnia

Bhola Kumar Son Of Sita Ram Sah R/O Village- Pir Mokam (Rahta), P.S.-
Falka, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 22-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 302, 120(B)/34 of the Indian Penal Code.

According to the prosecution case, in brief, is that the accused petitioner along with villagers of the informant with a conspiracy had taken away the son of the informant to see fare of Kalash Yatra at Pir Mokam Rahta but on 14.02.2022 the informant got information that the dead body of her son was lying Bishari Asthan South of Libri Pool and thereafter she proceeded to the place of occurrence where she identified the dead body of her son namely Pintu Kumar.

Learned counsel for the petitioner submits that the



petitioner is innocent and he has been falsely implicated in the present case only on the basis of suspicion. He further submits that as per allegation in the F.I.R. the petitioner was the person who was last seen with the deceased. He further submits that no other cogent material has come during investigation against the petitioner to suggest that the petitioner was involved in the present occurrence. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 15.02.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner on the ground that the petitioner carries two more cases other than the present one.

Considering the facts and circumstances of the case and the period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Mirganj P.S. Case No. 24 of 2022, with 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 witness, 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 antecedents, 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)

Ibrar//-

U		T	
---	--	---	--

