

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.52025 of 2023**

Arising Out of PS. Case No.-108 Year-2015 Thana- RANIGANJ District- Araria

PRAMOD MUKHIA Son of Nageshwar Mukhia Resident of village - Shyam,  
P.S. - Gwalpara, Distt. - Madhepura

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Anil Prasad Singh, Adv.

For the Opposite Party/s : Mr.Ram Sevak Choudhary, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      22-09-2023                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner seeks bail in connection with Raniganj  
P.S. Case No. 108 of 2015 registered for the offence under  
Sections 302/34 of the Indian Penal Code and Section 27 of the  
Arms Act.

The son of the informant is alleged to have been killed  
by the petitioner as the dead body of the deceased disclosed  
several antemortem injuries.

Learned counsel appearing for the petitioner submits  
that the petitioner, who is of clean antecedent, is innocent and  
has falsely been implicated in this case. He further submits that  
the petitioner has not been named in the F.I.R. but on the  
confessional statement of the co-accused, Sanjeev Paswan @



Dara this petitioner has been apprehended in this case. Save and except the confessional statement of the co-accused, no cogent material has surfaced during course of investigation suggesting the involvement of the petitioner in the alleged occurrence. Neither anything incriminating has been recovered from the possession of the petitioner nor he has been put on T.I.P. as yet. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 27.10.2022.

Learned A.P.P. for the State on the basis of material available on record and the case diary vehemently opposed the prayer for bail of the petitioner and submits that the case of the prosecution has been supported by the witnesses whose statements have been recorded in paragraph Nos 8, 12, 20, 21, 22, 23, 24, 72, 73 and 77 of the case diary that the petitioner has been involved in the alleged occurrence. He further fairly submits that no one has seen the present occurrence and the witnesses have stated that the petitioner was seen with the other accused persons.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 learned C.J.M., Araria in connection with Raniganj P.S. Case No. 108 of 2015 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled 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.

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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