

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52041 of 2022

Arising Out of PS. Case No.-137 Year-2022 Thana- LAXMIPUR District- Jamui

Rajesh Soren S/o Chandradeo Soren R/o village- Banjhikusum, P.S.- Jhajha,
Distt.- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhat Ranjan Singh, Advocate

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 16-03-2023 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, 328/34 of the Indian Penal Code.

The prosecution case, in short, is that on 13.08.2022 at 9:30 P.M. petitioner along with co-accused Jageshwar Hembram came on motorcycle to the house of the informant and called the brother of informant namely Ajay Hembram and took away with them. On the next day in the morning, informant on the basis of information came to know that his brother is in serious condition. Informant and his family members went there and carried him to Hospital but he died in the way.

Learned counsel for the petitioner submits that the



petitioner has clean antecedent and he has been falsely implicated in the present case only on the basis of suspicion. He further submits that there is no eye witness of the alleged occurrence and on the basis of suspicion the petitioner and other accused namely Jageshwar Hembram have been implicated in the present case. He further submits that the postmortem report of the victim does not corroborate the allegation as alleged in the F.I.R. and the co-accused person namely Jageshwar Hembram has been granted bail by a Coordinate Bench of this Court vide order dated 01.02.2023 passed in Cr. Misc. No. 46113 of 2022. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 15.05.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, 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 Laxmipur P.S. Case No. 137 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)

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