

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52331 of 2022

Arising Out of PS. Case No.-219 Year-2020 Thana- JHAJHA District- Jamui

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SURESH DAS SON OF DARIK DAS @ DWARIKA DAS R/O VILLAGE-
DHOBIAKARA, P.S.- JHAJHA, DISTRICT- JAMUI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanju Singh, Adv.
For the Opposite Party/s : Mr. Dinesh Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-02-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 302, 504 and 506 of the Indian Penal Code.

According to prosecution case, all the accused persons assaulted the cousin of the informant by means of lathi, danda and sword causing his death as well as the informant was also assaulted by means of lathi and danda.

Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that it appears from the F.I.R. that there is general and omnibus allegation levelled against the petitioner and the co-accused namely,



Kailash Das has been granted bail by this Court vide order dated 30.11.2021 passed in Cr. Misc. No. 18164 of 2021, co-accused namely, Manoj Das has been granted bail by a co-ordinate Bench of this Court vide order dated 07.01.2022 passed in Cr. Misc. No.14965 of 2021, co-accused namely, Beby Kumari has been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 18.05.2022 and co-accused namely, Usha Devi has been granted bail by a co-ordinate Bench of this Court vide order dated 28.06.2022 passed in Cr. Misc. No. 54834 of 2021. The police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 27.06.2022.

The learned Additional Public Prosecutor 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 Jhajha P.S. Case No. 219 of 2020, 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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