

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54525 of 2022

Arising Out of PS. Case No.-112 Year-2021 Thana- BAUSI District- Araria

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Aman Kumar Jha @ Aman Jha Raushan Kumar Jha Resident Of Village-
Bhareli, Ward No-11, P.S.- Bausi, District Araria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Navjot Yesu, Advocate

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 04-04-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

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

According to prosecution case, this petitioner along
with the other accused person had killed the son of the
informant, namely, Sundar Kumar.

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 there is no eye witness of the alleged occurrence and even the informant is not the eye witness of the occurrence. He further submits that it appears from the postmortem report of the deceased that there is no external injury found on the body of the deceased. He further submits that except suspicion, no other cogent material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 05.11.2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances and period of custody, 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 Bausi P.S. Case No. 112 of 2021, 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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