

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55581 of 2023

Arising Out of PS. Case No.-207 Year-2022 Thana- NAUBATPUR District- Patna

Rajnish Kumar S/O Umesh Singh R/O Paltuchatni, P.S. Naubatpur, Dist.- Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Vikramadit, Advocate

For the Opposite Party : Mr. Shailendra Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 30-08-2023 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Naubatpur P.S. Case No. 207 of 2022 dated 11.04.2022 instituted for the offences punishable under Sections 302, 120(B)/34 of the Indian Penal Code.

3. The prosecution case, in short, is that on 10.04.2022, at about 07:30 AM, informant's son had left the house with one accused person, namely, Rahul. It is alleged that after 3hrs, the informant got information that somebody had killed her son and when she went to place of occurrence she found the deceased's dead body.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has falsely been implicated in



this case. It is submitted that the name of the petitioner is not mentioned in the F.I.R., he has been made accused in this case only on the basis of confessional statement of co-accused, namely, Vikas Kumar and Chhote Sarkar. It is further submitted that there is no cogent material to connect the petitioner in the present case. Lastly, it has been submitted that the petitioner is in custody since 06.02.2023, has two cases against him and charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., III, Danapur, Patna, in Naubatpur P.S. Case No. 207 2022, subject to following conditions:

- i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall



be cancelled by the Court below.

ii. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

iii. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

iv. 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.

(Khatim Reza, J)

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