

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56191 of 2023

Arising Out of PS. Case No.-472 Year-2022 Thana- SHEKHPURA District- Sheikhpura

Sudhir Singh @ Sudhir Pandey son of Bhuneshwar Singh @ Bhuneshwar
Pandey R/o- Village- Gawai Ps- Sheikhpura Dist- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Advocate

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 13-12-2023 Heard Mr. Bipin Kumar, learned counsel for the

petitioner and Mr. Shahabuddin Azeem @ S. Azeem, learned

Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Sheikhpura (Hathiyawan O.P.) P.S. Case No. 472 of 2022, F.I.R. dated 13.08.2022 for the offences punishable under Sections 302, 201/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. According to prosecution case, the informant received information that a woman had been shot and by some unknown persons and then killed her by crushing her head with stone and thrown her dead body in a waterlogged field.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been



implicated in the present case. He further submits that the petitioner is not named in the F.I.R. and the name of the petitioner has been transpired during investigation on the basis of the suspicion and on the ground that the petitioner is having illicit relation with the deceased. He further submits that there is no eye witness of the alleged occurrence and merely on the basis of suspicion, the petitioner has falsely been implicated in the present case.

5. The learned Additional Public Prosecutor on the basis of material available on record as well as case diary has vehemently opposed the prayer for bail of the petitioner and submits that it has come during investigation in paragraph nos. 27, 28, 51 and 52 of the case diary that the petitioner was involved in the present crime in question.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 Chief Judicial Magistrate, Sheikhpura in connection with Sheikhpura (Hathiyawan O.P.) P.S. Case No. 472 of 2022,



subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other 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 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.

ii. 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.

iii. 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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