

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60385 of 2022**

Arising Out of PS. Case No.-269 Year-2020 Thana- BACHHWARA District- Begusarai

MURARI KUMAR @ PRAMOD KUMAR Son of Sanjiv Ray Resident of
Village- Rupas Bag, P.S.- Bachhwara, District- Begusarai(Bihar)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

7 26-06-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since 03.04.2021
in connection with Bachhwara P.S. Case No.269/2020, F.I.R. dated
23.12.2020, for the offences punishable under Sections 386,
387/34 of the IPC and Section 27 of the Arms Act.

According to prosecution case, co-accused, namely,
Manish Kumar along with other two accused persons demanded
ransom of Rs. 5 lac from the informant and on being protested by
the informant they have made five round firing.

Learned counsel for the petitioner submits that petitioner
has falsely been implicated in the present case. He further submits
that the petitioner is not named in the F.I.R. The name of the
petitioner has been transpired during investigation on the basis of
confessional statement of the co-accused, namely, Manish Kumar
@ Chhotu. He further submits that except the confessional



statement of the co-accused, no other cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence. He further submits that it has come during investigation that Manish Kumar has fired upon the informant for ransom and the said Manish Kumar @ Chhotu Kumar has been granted bail by the learned C.J.M., Begusarai on 28.06.2021 and the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 03.04.2021.

Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner carries seven criminal antecedent other than the present one but fairly submits on the basis of para-3 of the supplementary affidavit that the petitioner is on bail in all the seven cases.

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 A.C.J.M., Teghra, Begusarai in connection with Bachhwara P.S. Case No. 269/2020, 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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