

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58025 of 2023

Arising Out of PS. Case No.-120 Year-2023 Thana- BANKA District- Banka

Sanjay Das S/O Sarju Prasad @ Sarju Das Resident Of Mahuadih, Surakol, Ps
Banka, Dist- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate
For the Opposite Party/s : Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-09-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 16.03.2023 in connection with Banka P.S. Case No. 120 of 2023, F.I.R. dated 05.03.2023 for the offences punishable under Sections 302, 201 and 34 of the Indian Penal Code but the police submitted charge sheet under Section 306, 201 and 34 of the Indian Penal Code and the learned Court has also taken cognizance under the aforesaid sections.

3. According to prosecution case, this petitioner along with other accused persons have killed the daughter of the informant by hanging.

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 allegation as alleged in the F.I.R. is false and fabricated and the petitioner has solemnized the marriage 16 years back from the date of the alleged occurrence. He further submits that it has come during investigation that the deceased had committed suicide herself. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 16.03.2023.

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

6. 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 Chief Judicial Magistrate, Banka in connection with Banka P.S. Case No. 120 of 2023, subject to the 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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