

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58456 of 2023

Arising Out of PS. Case No.-2 Year-2022 Thana- KOTWALI District- Munger

Karu Kumar @ Karu Singh S/O Late Manoj Kumar R/O Moh- Subhas Nagar,
P.S. - Kotwali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Sinha

For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 06-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner seeks bail in connection with Kotwali
(Basudeopur) P.S. Case No. 02 of 2022 corresponding to
Sessions Trial No. 101 of 2022, registered for the offences
punishable under Sections 302/34 of the Indian Penal Code and
section 27 of the Arms Act.

3. Earlier, the bail application of petitioner was
rejected vide order dated 16.02.2023 passed in Cr. Misc. No.
59405 of 2022. Thereafter, petitioner again moved before this
Hon'ble court for regular bail vide Cr. Misc. No. 44819 of 2023
which was dismissed as withdrawn by the order dated
19.07.2023 with liberty to file fresh application before the



learned court below. Thereafter, the petitioner has filed the present application.

4. Learned counsel for the petitioner submits that petitioner claims clean antecedent and he has been falsely implicated in this case. He further submits that charge has already been framed on 20.09.2022 against the petitioner under Sections 302/34 IPC and section 27, 25(1-b)a, 26(1) and 35 of the Arms Act, but the prosecution did not examine any witness as yet. He further submits that vide order dated 08.09.2023 a report was called for from the learned court below with regard to present stage of trial and the trial court report dated 13.09.2023 reveals that charge has already been framed against this petitioner along with others in the year 2022 itself, but the prosecution have not examined any witness as yet. Learned counsel for petitioner by referring the aforesaid report submits that in view of the report the trial is not concluded in near future and petitioner is in custody since 04.01.2022.

5. Considering the facts and circumstances of the case, stage of trial 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 Additional Sessions Judge



Ist, Munger in connection with Kotwali (Basudeopur) P.S. Case
No. 02 of 2022 corresponding to Sessions Trial No. 101 of
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 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 liable to be cancelled by the Court below.

(ii) If the petitioner tampers with the evidence or the witness, in that case, 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 antecedents, 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)

vinita/-

U		T	
---	--	---	--

