

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41263 of 2022

Arising Out of PS. Case No.-139 Year-2022 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Aman Kumar Son of Rajesh Singh Resident of Village - Punas, Ward No. 08,
Police Station- Muffasil, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 58701 of 2022

Arising Out of PS. Case No.-139 Year-2022 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Ravi Kumar Son Of Ashok Singh @ Ashok Kumar Singh R/O Village- Kaizia
Bishunpur, Ward No.17, P.S.- Tajpur (Waini O.P.), District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 41263 of 2022)

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

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

(In CRIMINAL MISCELLANEOUS No. 58701 of 2022)

For the Petitioner/s : Mr. Yogesh Chandra Verma, Senior Advocate

Mr. Dilip Kumar Roy, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 15-02-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioners is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.



Petitioners seek bail in a case registered for the offences punishable under Sections 302, 201, 120(B) and 34 of the Indian Penal Code and Section 27 of the Arms Act.

According to prosecution case, both the petitioners, namely, Aman Kumar and Ravi Kumar under criminal conspiracy along with Abhishek Kumar killed the brother of the informant and threw his body near Tajpur Ratanpur Chaur.

Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that there is no eye witness of the alleged occurrence and on the basis of suspicion, petitioners have been implicated in the present case. He further submits that during investigation, no cogent material has come against these petitioners except the suspicion. He further submits that the police after investigation submitted the charge sheet against the petitioners. The petitioner no. 1, namely, Aman Kumar is in custody since 23.03.2022 and petitioner no. 2, namely, Ravi Kumar is in custody since 16.08.2022.

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

Considering the aforesaid facts and circumstances, let



the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Samastipur (Muffasil) P.S. Case No. 139 of 2022, subject to the following conditions:-

1. Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

2. If the petitioners 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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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