

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62233 of 2022

Arising Out of PS. Case No.-126 Year-2021 Thana- SANJHOLI District- Rohtas

Vishnu Ray Son of Sudarshan Ray A/P Resident of Mohalla- Bishnu Nagar,
Bank Colony, Ara, P.S- Ara Nawada in the district of Bhojpur. Permanent R/o
Village Nirbhay Dihra, P.S. Sikarhata, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 20-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Section 302 of the Indian Penal
Code and Section 27 of the Arms Act.

The prosecution case, in brief, is that the informant
received information on 02.12.2021 at 10:30 A.M. that a person
has been murdered at Nokha Buxar canal road, whereafter he
had gone at the said place of occurrence and found that one
person aged about 27 years is lying dead, who has sustained
firearm injury on his temple region and the nearby people
disclosed that unknown miscreants killed him.

Learned counsel for the petitioner submits that the
petitioner carries eight more cases other than the present in



which he is on bail. He further submits that the petitioner is innocent and he has been falsely 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 trasnpired during investigation on the basis of the C.D.R. report and except the C.D.R. report, no other cogent material has come during investigation against the petitioner and the co-accused persons namely Praveen Kumar Pandey @ Chhotak Pandey and Shivjee Pandey have been granted bail by a Coordinate Bench of this Court vide order dated 16.01.2023 passed in Cr. Misc. No. 62999 of 2022. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 25.02.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Sanjhauli P.S. Case No. 126 of 2021, with the following conditions :-



(1) Learned Court below is directed to verify that the petitioner is an accused in other eight cases in which he is on bail.

(2) 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.

(3) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(4) 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.

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(Rajesh Kumar Verma, J)

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