

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.181 of 2022

Arising Out of PS. Case No.-10 Year-2021 Thana- PIPRA District- Patna

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Pintu Sao, Son Of Bhola Sao Resident Of Village- Sheikhpura P.S.- Pipra
Dist-. Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pritish Kumar Lal

For the Opposite Party/s : Mr. Sunil Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 02-01-2023 Heard Ld. counsel for the petitioner and Ld. APP

for the State.

The petitioner seeks bail in connection with Pipra
P.S. Case No. 10 of 2021, registered for the offences
punishable under Sections 323, 302, 504, 506 and 34 of
the Indian Penal Code and Section 27 of the Arms Act,
1959.

The prosecution story as emerges from the FIR is
that the son of the informant, Neeraj Kewat found dead in a
room and it is alleged that the petitioner and his associates
had committed the crime due to land dispute.

Ld. counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. He further submits that the informant is not the eye-witness of the occurrence and the case is based only on suspicion. He further submits that investigation in this case is complete and charge-sheet has already been submitted but he is not sure whether charge has been framed or not.

The petitioner has been languishing in jail since 14.06.2022.

It is also stated in paragraph no. 2 of the petition that the petitioner has not moved earlier before this Court for grant of anticipatory or regular bail.

It has further been stated in paragraph no. 3 that the petitioner has no criminal antecedents.

However, the learned APP for the State vehemently opposes the prayer of the petitioner for bail.

Considering the aforesaid facts and circumstances, the petitioner, above-named, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Ld. Additional Chief Judicial



Magistrate, Masaurhi, Patna, in connection with Pipra P.S.
Case No. 10 of 2021, **after framing of charge, if not
already framed**, on the following conditions:

(i) The petitioner will make himself available for
interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that
investigation/trial will not hamper on account of his absence
or non-cooperation. He must be available to the police or the
court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly
make any inducement, threat or promise to any person
acquainted with the facts of the case so as to dissuade him
from disclosing such facts to the court or to any police
officer.

(iv) In case, it is brought to the notice of the court
below that the petitioner has any criminal antecedent, the
learned court below shall cancel the bail bond of the
petitioner after hearing him and getting satisfied that the
petitioner has concealed his criminal antecedent despite his
knowledge of the same.



(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioner.

The application stands allowed accordingly.

Ld. counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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