

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67041 of 2022

Arising Out of PS. Case No.-221 Year-2022 Thana- PANAPUR District- Saran

HARENDRA NAT @ HARENDAR NAT Son of Late Rudal Nat Resident of
village - Jipura, P.S.- Panapur, District - Saran (Chapra).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

7 14-07-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail, who is in custody since
03.08.2022 in connection with Panapur P.S. Case No.221 of
2022, F.I.R. dated 02.08.2022 for the offences punishable under
Sections 328, 302/34 of the Indian Penal Code.

3. According to prosecution case, in brief as per
fardbeyan of informant Bhikari Sah alleging therein that on
02.08.2022 Mintu Kumar Sah, the son of the informant returned
back home from Panapur Bazar along with other after doing
contract work under Rohit Kumar, the contractor and co-villager
of the informant on 31.07.2022 after which Mintu Kumar felt ill
for which He further submits that got treated by the local
Doctor and then went to Sadar Hospital, Chapra where the
doctors declared him dead.



4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is that the petitioner has supplied the liquor in question to the deceased person. He further submits that nothing has been recovered from the conscious possession or the house of the petitioner and merely on the basis of suspicion the petitioner has falsely been implicated in the present case. He further submits that no other cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence. He further submits that the police after investigation submitted the sheet against the petitioner and the petitioner is in judicial custody since 03.08.2022.

5. Learned counsel for the APP for the State has vehemently opposed the prayer of the petitioner on the ground that petitioner carries one criminal antecedent other than the present one.

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-2, Saran at Chapra in connection with



Panapur P.S. Case No.221 of 2022, subject to the following conditions:-

1. 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.

2. 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.

3. 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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