

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69165 of 2022

Arising Out of PS. Case No.-118 Year-2022 Thana- SIKTI District- Araria

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AALAM Son of Late Kalchu R/V- Gadhakat, Ward No. 8, P.S- Sikty, Dist-
Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bal Krishna Mishra, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 25-04-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since
29.07.2022, in connection with Sikti P.S. Case No. 118/2022,
F.I.R. dated 14.05.2022, for the offences punishable under
Sections 302, 201, 120(B) of the Indian Penal Code.

According to prosecution case, the grand son of the
informant went to the house of his Fufi and when not returned
till 7.00 P.M., the daughter-in-law of the informant making
quarry about her missing son and subsequently, the dead body of
the grand son of the informant was found lying in a maize crop
land of the informant. It is alleged that one month before, the
informant's niece has been murdered by co-accused Kaila @
Hasim and his other relatives for which police case has been



lodged against them and on which the accused persons have earlier given threat for giving lesson.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case merely on the basis of suspicion. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. He further submits that except suspicion, no other cogent material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 29.07.2022.

Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner carries one criminal antecedent other than the present one.

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 S.D.J.M., Araria, in connection with Sikty P.S. Case No.118/2022, 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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