

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71315 of 2022

Arising Out of PS. Case No.-184 Year-2020 Thana- DAUDNAGAR District- Aurangabad

=====

SOHAN VARMA SON OF RAMESHWAR SINGH @ RAMJEE MAHTO
R/O VILLAGE- MAHUAON, P.S.- OBRA, DISTRICT- AURANGABAD

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Binod Kumar Pandey, Adv.

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

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 24-04-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Daudnagar P.S. Case No. 184 of 2020 registered for the offence
under Sections 302 of the Indian Penal Code.

The petitioner is alleged to have killed the daughter of
the informant when she refused to sell the land of the deceased.

Learned counsel appearing for the petitioner submits
that the petitioner is innocent and has falsely been implicated in
this case. He further submits that, in fact, the informant is not the
eye witness to the alleged occurrence. He further submits that
the allegation, as alleged in the F.I.R, is false and fabricated as no
such occurrence has taken place. He further submits that the
allegation as narrated in the F.I.R. also do not get support from



the medical evidence. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner.

A report with regard to present stage of the trial has been called for by this Court vide order dated 04.04.2023 which has been received and forms part of this application at Flag-A. On perusal thereof, it would reveal that charge has been framed against the accused on 28.11.2022 and the prosecution has not examined any witness as of now.

Learned counsel appearing for the petitioner referring to the aforesaid report submits that the trial of this case is not likely to be concluded in near future as there appears to be no substantial progress in the trial and the petitioner is languishing in judicial custody since 22.03.2022 i.e more than one year.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries two more cases other than the present one.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 learned S.D.J.M., Daudnagar in connection with Daudnagar P.S. Case No. 184 of 2020 with 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled 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.

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)

brajesh/-

U		T	
---	--	---	--

