

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68421 of 2022

Arising Out of PS. Case No.-127 Year-2022 Thana- AGIAON BAZAR District- Bhojpur

GUDDU SINGH @ UMESH KUMAR SINGH Son of Late Wakil Singh R/V-
Khirikon, P.S- Agiaon Bazar, Dist- Bhojpur at Ara

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pankaj Kumar Singh, Adv.
For the Opposite Party/s	:	Mr. Anil Kumar, APP
For the informant	:	Mr. Shiv Prasad Gupta, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 18-04-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned Additional Public
Prosecutor for the State.

Petitioner seeks bail, who is in custody since
30.08.2022, in connection with Agiaon Bazar P.S. Case No.
127/2022, F.I.R. dated 11.08.2022, for the offences punishable
under Sections 302 of the Indian Penal Code but the police after
investigation submitted the charge sheet No.206 of 2022 dated
12.10.2022 under Section 306 of the Indian Penal Code.

According to prosecution case, there is allegation
against the petitioner that he killed the son of the informant and
thereafter his dead body has been handed on a tree.

Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case only on the basis of suspicion. He further submits that it has come during investigation that the son of the informant has committed suicide himself and except the suspicion, no other cogent material has come during investigation against the petitioner. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 30.08.2022.

Learned counsel for the informant as well as learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

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 Miss Kajal Sonwale, Judicial Magistrate 1st Class, Bhojpur at Ara, in connection with Agiaon Bazar P.S. Case No. 127/2022, 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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