

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73624 of 2023

Arising Out of PS. Case No.-656 Year-2020 Thana- MAHUA District- Vaishali

Navin Kumar Son Of Vijay Kumar Singh Resident Of Village- Tatahpur
Pakari, Ps- Mahua, Distt- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar, Advocate

For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-11-2023 Heard Mr.Anuj Kumar, learned counsel for the

petitioner and Mr.Bhanu Pratap Singh, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Protest-cum-Complaint Case No.1627 of 2021 arising out of Mahua P.S.Case No.656 of 2020, FIR dated 11.11.2020 registered for the offences punishable under Sections 201 and 120B of IPC.

3. According to prosecution case, the complainant has full confidence that Mukhiya Ji and his son Navin Kumar (petitioner) had killed his son due to love affairs of his son Dipak Kumar with Madhu @ Neha (sister of the petitioner). The accused persons cremated dead body of the complainant's son in his semi-conscious state.



4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. Initially the case was registered bearing Mahua P.S.Case No.656 of 2020 and the police after investigation submitted final form in favour of the petitioner and after that the complainant has filed the complaint petition bearing Complaint Case No. 1627 of 2021 and the learned court below has taken cognizance under Sections 201 and 120-B of the Indian Penal Code against the petitioner.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 J.M.-1st Class, Vaishali at Hajipur in connection with Protest-cum-Complaint Case No.1627 of 2021 arising out of Mahua P.S.Case No.656 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-



(I) 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 cancelled by the Court below.

(II) 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.

(III) 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/her 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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