

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75061 of 2022

Arising Out of PS. Case No.-189 Year-2022 Thana- BEUR District- Patna

BIPUL KUMAR S/O Mani Shekhar Prasad R/O Mohalla- Tansport Nagar,
Opps D.A.V School, P.S- Agam Kuan, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar No. 1, Adv.

For the Opposite Party/s : Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-04-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since
12.05.2022, in connection with Beur P.S. Case No. 189/2022,
F.I.R. dated 30.04.2022, for the offences punishable under
Sections 364, 302, 201/34 and 120(B) of the Indian Penal Code.

According to prosecution case, the petitioner along
with the other co-accused persons kidnapped the brother of the
informant.

Learned counsel for the petitioner submits that the
petitioner is innocent and he has falsely been implicated in the
present case. He further submits that the petitioner is not named
in the F.I.R. The name of the petitioner has been transpired
during investigation on the basis of the confessional statement



of co-accused namely, Ramashish Kumar @ Ashish Kumar. He further submits that except the confessional statement of co-accused person, no other cogent material has come during investigation against the petitioner to connect the involvement of the petitioner in the present occurrence and similarly, situated co-accused persons, namely, Jitendra Ravidas, Dev Kumar Singh, Om Prakash Kumar, Munna Kumar @ Shiv Kumar and others have been granted bail by a co-ordinate Bench of this Court vide order dated 14.12.2022 passed in Cr. Misc. No.41722 of 2022 along with other analogous cases. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 12.05.2022.

The 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 two criminal antecedent.

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 Sri Praveen Kumar, J.M.1st Class, Patna, in connection with Beur P.S. Case



No.189/2022, 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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