

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63236 of 2022

Arising Out of PS. Case No.-400 Year-2021 Thana- PATNA CITY CHOWK District- Patna

JAIKI KUMAR Son of Raju Prasad Resident of Muhalla - Kaimashikoh, P.S.-
Chowk, District – Patna ... Petitioner

Versus

The State of Bihar ... Opposite Party

with

CRIMINAL MISCELLANEOUS No. 71839 of 2022

Arising Out of PS. Case No.-400 Year-2021 Thana- PATNA CITY CHOWK District- Patna

BHOLA KUMAR @ PRINCE KUMAR S/O LATE DILIP PRASAD
Resident of village- Ramkrisahna Nagar, P.S.- Ramkrisahna Nagar, District-
Patna, Bihar ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

(In CRIMINAL MISCELLANEOUS No. 63236 of 2022)

For the Petitioner : Mr.Pramod Kumar, Adv.

For the Opposite Party : Mr.Navin Kumar Pandey, APP

(In CRIMINAL MISCELLANEOUS No. 71839 of 2022)

For the Petitioner : Mr.Madhav Kumar, Adv.

For the Opposite Party : Mr.Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 25-03-2023 Heard learned counsel for the petitioners and the
State.

The petitioners seek regular bail in connection with
Chowk P.S. Case No. 400 of 2021 lodged under Sections 302
and 301/34 of the Indian Penal Code and 27 of the Arms Act.

As per the allegation the allegation of murder has
been made against unknown accused persons in the first
information report.

Counsel for the petitioner submits that the name of



present petitioners have been made by the confessional statement of the co-accused, Amit Kumar, who in his confessional statement has named the petitioners as well as one Deepak Kumar. Counsel submits that the said Deepak Kumar has been granted anticipatory bail by a coordinate Bench of this Court in Cr. Misc. No. 22698 of 2022 on 26.09.2022.

Counsel further submits that the petitioners of the both the cases re having are having clean antecedent and are in custody since 10.05.2022.

Counsel for the State opposes the prayer for bail.

In the present facts and circumstances of the case and the submissions made above, the petitioners, named above, be released on bail on furnishing bail bonds of Rs.30,000/- (rupees thirty thousand) each with two sureties of the like amount each to the satisfaction of the Subdivisional Judicial Magistrate, Patna City, Patna, in connection with above mentioned case subject to the conditions laid down under Section 437(3) of the Criminal Procedure Code with other following conditions :

A) The petitioners shall support in the trial and shall appear physically before the lower Court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of



his bail bond.

(B) One of the bailors shall be close relative who shall file affidavit before the Court about his relationship with the petitioners and

(C) The petitioners shall file an affidavit at the time of furnishing bail bonds that they shall not involve in such criminal activity during the continuance of present bail bonds, violation of this condition shall be resulted into cancellation of his/their present bail bond(s).

With this observation, both the bail applications stand allowed.

(Dr. Anshuman, J)

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