

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73516 of 2022**

Arising Out of PS. Case No.-200 Year-2021 Thana- GAUTAMBUDHNAGAR District-
Siwan

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Pushpendra Kumar @ Pushpendra Sah, Son of Gulab chand Sah, R/V- Uriyan
Tola, P.S- G.B. Nagar, Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Chandra Kant, Advocate
For the Opposite Party/s : Mr.Dr. Ajeet Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 06-04-2023 Learned counsel for the petitioner is permitted to
remove defect (s), as pointed out by the office, if any, within a
period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner has preferred this application for grant
of regular bail in connection with G.B. Nagar P.S. Case No. 200
of 2021 dated 16.08.2021 registered for the offences punishable
u/ss 341, 323, 364, 302 and 201 read with Section 34 of the
Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, the petitioner and the
co-accused persons are alleged to have abducted the son of the
informant and he was shot dead and his dead body was thrown



into the ditch.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. He has further submitted that there is no eye witness for the alleged occurrence and only on the basis of suspicion, the petitioner has been made accused in this case. The co-accused person has already been granted bail by the Coordinate Bench vide order dated 23.02.2023 passed in Cr. Misc. No. 59090 of 2022. The petitioner is accused in 10 other criminal cases which are not related to murder and he is on bail in 9 aforesaid cases as stated in para 3 of the bail petition. The petitioner is in custody since 30.06.2022.

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

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Siwan in connection with G.B. Nagar P.S. Case No. 200 of 2021 arising out of Session Trial No. 597 of 2022, with



the following conditions :-

1. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, his bail bonds is liable to be cancelled.

2. If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bonds.

The application stands allowed.

(Chandra Prakash Singh, J)

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