

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73331 of 2022

Arising Out of PS. Case No.-187 Year-2022 Thana- BIDUPUR District- Vaishali

SUNIL KUMAR SINGH S/o Sri Brajesh Singh @ Bachcha Singh R/o
Village- Jurabanpur, Gopalpur, P.S.- Bidupur, Distt- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Adv.

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 03-07-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with Bidupur
P.S. Case No. 187 of 2022 dated 21.04.2022 registered for the
offence under Sections 364, 34 and 120(B) of the Indian Penal
Code.

The nephew of the informant is alleged to have been
kidnapped by the petitioner and other accused persons on the
point of gun.

Learned counsel appearing for the petitioner submits
that the petitioner is innocent and has falsely been implicated in
this case. He further submits that the allegation, as alleged in the
F.I.R., is false and fabricated and the petitioner has not committed
any offence. He further submits that due to admitted land dispute



between the parties, this petitioner along with others are made accused in this case. He further submits that the alleged occurrence is said to have taken place on 31.03.2022 whereas the complaint was filed on 05.04.2022 consequently, F.I.R. has been instituted on 21.04.2022. He further submits that the police after investigation submitted two charge- sheets; in the first charge-sheet, charges are shown to have been proved against the petitioner but in the subsequent charge sheet, police has exonerated the petitioner from all the charges levelled against him in the F.I.R stating that he was not involved in the alleged occurrence. He further submits that despite the final report of the police, this petitioner has been taken in to custody reasons best known to the police. The petitioner is rotting in judicial custody since 14.08.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 Chief Judicial Magistrate, Vaishali at Hajipur in connection with Bidupur P.S. Case No. 187 of 2022 with 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled 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.

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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