

Arising Out of PS. Case No.-501 Year-2022 Thana- KOTWA District- East Champaran

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... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhurendra Kumar

For the Opposite Party/s : Mr.Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 20-12-2023

Heard learned counsel appearing on behalf

of the parties.

2. The petitioner seeks bail in connection with Kotwa P.S. Case No.501 of 2022 registered for the offence under Sections 302/34 of the Indian Penal Code.

3. The allegation against the petitioner is to have committed murder of the brother of the informant, while snatching cash of Rs. 60,000/- from the deceased.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner has falsely been implicated in the present case. It has been submitted that the allegation against the petitioner is general and omnibus in nature. It has further been submitted that similarly situated co-



accused person has already been granted bail by one of the learned co-ordinate Bench of this Court vide order dated 22.08.2023 passed in Cr. Misc. No.30539 of 2023. It is further submitted that the petitioner is a man of clean antecedent and he is in custody since 08.09.2023.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances and similarly situated co-accused person has already been granted bail by co-ordinate Bench of this Court, let the petitioner, above named, is directed to be released on bail in connection with Kotwa P.S. Case No.501 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, subject to the following condition:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond



by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Ramesh Chand Malviya, J)

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