

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6712 of 2024

Arising Out of PS. Case No.-132 Year-2023 Thana- NAYAGAON District- Saran

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1. Raja Kumar
 2. Abhishek Kumar
Both are sons of Prem Singh @ Prem Nath Singh
 3. Sunny Kumar son of Shiv Nath Singh
 4. Pankaj Kumar @ Pankaj Kr. Singh son of Bhrigunath Singh.
All are Village- Dumari Bujurg Ps- Nayagaon Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Avnish Kumar Singh, Advocate
For the Opposite Party/s : Mr.Uma Shankar Prasad Singh,APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-02-2024 Learned counsel for the petitioners submits that during pendency of this anticipatory bail petition, petitioner No.3 has been arrested. Accordingly, he seeks permission to withdraw this application with respect to petitioner No.3.

2. Permission is accorded.

3. The anticipatory bail petition with respect to petitioner No.3 is dismissed as withdrawn.

4. Heard Mr.Avnish Kumar Singh, learned counsel for petitioner Nos.1, 2 and 4 and Mr.Uma Shankar Prasad Singh, learned Additional Public Prosecutor for the State.

5. Petitioner Nos. 1, 2 and 4 are apprehending their



arrest in connection with Nayagaon P.S.Case No. 132 of 2023, FIR dated 28.07.2023, registered for the offences punishable under Sections 302/34 of IPC.

6. Allegation against the petitioners is that they murdered Chandan Kumar Singh who is uncle of informant on 26.07.2023.

7. Learned counsel for the petitioners submits that petitioners have clean antecedent. They have falsely been implicated in the present case merely on the ground of suspicion. Further submits that in fact the informant is not the eye witness of the alleged occurrence and except the suspicion no other material has come during investigation against the petitioners to suggest the involvement of the petitioners in the present occurrence.

8. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of petitioner Nos. 1, 2 and 4 and submits that the petitioners are named in the FIR and the informant has suspected that the petitioners might be killed the deceased.

9. Considering the fact and circumstances of the case, let petitioner Nos.1, 2 and 4, above named, in the event of their arrest or surrender before the court below within a



period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Saran, Chapra in connection with Nayagaon P.S.Case No. 132 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(I) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(II) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners.



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)

Nitesh/-

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