

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.6655 of 2024**

Arising Out of PS. Case No.-157 Year-2022 Thana- EKMA District- Saran

Sikandar Kumar Singh @ Sikandar Singh @ Bunt Singh S/O- Sri Laxman Singh @ Lakshaman Singh, R/O- Village- Akaripur Dakshin Tola, Parsagarh, P.S.- Ekma, Dist.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Vijay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      21-03-2024                      Heard Mr. Vijay Kumar Sinha, the learned counsel  
for the petitioner and Mr. Mukesh Kumar Singh, the learned  
Additional Public Prosecutor for the State.

2.              The petitioner is apprehending his arrest in  
connection with Ekma PS Case No. 157 of 2022, FIR dated  
23.04.2022, registered for the offences punishable under Sections  
302, 201 and 120(B) of the Indian Penal Code.

3.              According to prosecution case, accused persons  
kidnapped the son of the informant in a Wagon-R vehicle, from  
her house. It is further alleged that the accused persons killed the  
informant's son by stabbing him with a knife. It is further alleged  
that the police recovered the dead body and took the same to Sadar  
Hospital, Saran.

4.              Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case and the allegation levelled in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. He further submits that there is no eyewitness of the alleged occurrence and even the informant is not the eyewitness of the alleged occurrence. He lastly submits that name of the petitioner has been implicated in the present case merely on the basis of suspicion and except suspicion no other cogent material has come during investigation which suggests the involvement of the petitioner in the present occurrence.

5. The learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances and the fact that the petitioner has clean antecedent and nothing has come during investigation which suggests the involvement of the petitioner in the present occurrence except suspicion, let the petitioner, above-named, in the event of his arrest or surrender before the trial Court, within a period of four weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Saran at Chapra, where the case is pending in connection with **Ekma PS Case No. 157 of**



**2022**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also the following conditions:

(i). Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the trial Court and shall remain physically present as directed by the trial Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the trial Court.

(ii). 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.

(iii). And further condition that the trial Court 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 trial Court 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)**

Shahnawaz/-

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