

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23007 of 2024

Arising Out of PS. Case No.-35 Year-2023 Thana- KUCHAIKOTE District- Gopalganj

Omprakash Sahani @ Omprakash Sahni Son of Nathuni Sahni Resident of
Village-Vijaypur, Police Station-Kuchaikote, District-Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Singh, Advocate

For the Opposite Party/s : Mrs.Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 20-03-2024 Heard Mr.Umesh Kumar Singh,learned counsel for
the petitioner and Mrs.Pushpa Sinha, learned A.P.P. for the
State.

2. The petitioner seeks bail, who is in custody since
09.02.2024 in connection with Kuchaikote P.S. Case No. 35 of
2023, PTN No.303 of 2023, S.Tr. No.718 of 2023, F.I.R. dated
25.01.2023 registered for the offence punishable under Sections
304B and 34 of IPC.

3. Learned counsel for the petitioner submits that the
petitioner has earlier moved before this Court in Cr. Misc.
No.38819 of 2023 and the petitioner has been granted regular
bail vide order dated 28.08.2023 but the bail bond of the
petitioner has been cancelled by the learned court below on the
ground that the petitioner has concealed his criminal antecedent



and after cancelling the bail bond, the petitioner has surrendered on 09.02.2024.

4. It appears that the petitioner has been granted bail vide order dated 28.08.2023 and his bail bond has been cancelled on the ground that the petitioner has concealed his criminal antecedent.

5. Learned APP for the State has opposed the prayer for bail of the petitioner on the ground that the petitioner carries two more cases other than the present one.

6. Considering the facts and circumstances of the case, let the petitioner, above named, 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 Additional District and Sessions Judge-XII, Gopalganj in connection with Kuchaikote P.S. Case No. 35 of 2023, PTN No.303 of 2023, S.Tr. No.718 of 2023, with the following conditions:-

(I) 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 cancelled by the Court below.



(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 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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