

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25386 of 2024

Arising Out of PS. Case No.-123 Year-2022 Thana- PIRI BAZAR District- Lakhisarai

Rajesh Kumar @ Rajesh Singh son of Ramswarath Singh Resident Of Village
-Ghosaith Ps- Piri Bazar District -Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabindra Kumar, Advocate

For the Opposite Party/s : Mr.Arvind Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 17-05-2024 Heard Mr.Rabindra Kumar, learned counsel for the

petitioner and Mr.Arvind Kumar Pandey, learned A.P.P. for

the State.

2. The petitioner seeks bail, who is in custody since
02.09.2022 in connection with Piri Bazar P.S.Case No.123 of
2022 (S.T.No.240 of 2023) F.I.R. dated 26.08.2022 registered
for the offence punishable under Sections 363/34 of IPC in
which subsequently Sections 364,302,201,120(B) of IPC were
also added.

3. Earlier the prayer for bail of the petitioner was
rejected vide order dated 25.07.2023 passed in Cr. Misc.
No.29805 of 2023.

4. Learned counsel appearing for the petitioner



submits that the petitioner has clean antecedent and he has falsely been implicated in the present case on the basis of the confessional statement of co-accused persons, namely, Reshmi Kumari and Suraj Kumar and except the aforesaid no other cogent material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence and apart from the aforesaid, three co-accused persons, namely, Durga Kumari @ Reshmi Kumari, Ajit Kumar and Suraj Kumar have been granted bail by different Coordinate Benches of this Hon'ble Court vide orders dated 11.07.2023, 24.02.2023 and 05.05.2023 passed in Cr. Misc. Nos.70366 of 2022, 67309 of 2022 and 14473 of 2023 respectively and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 02.09.2022.

5. Vide order dated 19.04.2024, a report was called for with regard to the present status of the trial. Report of the learned Trial Court dated 27.04.2024 reveals that the case is fixed at the stage of framing of charge.

6. Learned APP for the State have opposed the prayer for bail of the petitioner.

7. Considering the aforesaid facts, report of the



learned Trial Court and other co-accused persons have been granted bail by different Coordinate Benches of this Hon'ble Court and the period of custody, 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 Sessions Judge-1st, Lakhisarai in connection with Piri Bazar P.S.Case No.123 of 2022 (S.T.No.240 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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