

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65934 of 2024

Arising Out of PS. Case No.-40 Year-2024 Thana- ARA MUFFSIL District- Bhojpur

Prince Kumar @ Sadhu @ Sanjeet Rai S/O Upendra Rai R/O Village-
Ojhawalia, P.S- Karnamepur, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mithilesh Kumar Rai, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 04-10-2024 Heard Mr. Mithilesh Kumar Rai, learned counsel
for the petitioner and Mr. Syed Ehteshamuddin, learned A.P.P.
for the State.

2. The petitioner seeks bail, who is in custody since
15.03.2024 in connection with Ara Muffasil P.S. Case No. 40 of
2024, FIR dated 05.02.2024 for the offences punishable under
Sections 302 and 34 of the Indian Penal Code and Section 27 of
the Arms Act.

3. The FIR of the occurrence of murder is against
unknown.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and he has falsely been implicated in
the present case. He further submits that the petitioner is not
named in the FIR, the name of the petitioner has been transpired



during the investigation on the basis of the confessional statement of the co-accused person, namely, Pipul Singh @ Nihal Singh and thereafter on the basis of the self confessional statement of the petitioner. He further submits that the accused person, namely, Pipul Singh @ Nihal Singh, who has confessed the name of the petitioner, has been granted bail by this Court vide order dated 21.09.2024 passed in Cr. Misc. No. 49461 of 2024. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 15.03.2024.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that the name of the petitioner has been transpired during the investigation which suggests that the petitioner was involved in the present crime in question and apart from that the petitioner carries one more case other than the present one but fairly submits on the basis of the paragraph no.3 of the bail petition that the petitioner is on bail in the pending matter.

6. Considering the aforesaid facts, let the, above named, petitioner 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 A.C.J.M.-VII, Ara Muffasil in



connection with Ara Muffasil P.S. Case No. 40 of 2024 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 canceled 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.

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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