

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58452 of 2024

Arising Out of PS. Case No.-2 Year-2022 Thana- KOTWALI District- Munger

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Karu Kumar @ Karu Singh Son of Late Manoj Kumar R/O- Moh- Subhash
Nagar, P.S.- Kotwali, Distt.- Munger Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha, Advocate
For the Opposite Party/s : Dr. Indihar Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 23-08-2024 Heard Mr. Binod Kumar Sinha, learned counsel for

the petitioner and Dr. Indihar Kumari, learned Additional Public

Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
04.01.2022 in connection with S.T No. 101 of 2022, Kotwali
(Basudeopur) P.S. Case No. 02 of 2022, F.I.R. dated 01.01.2022
for the offences punishable under Sections 302/34 of the Indian
Penal Code and Section 27 of the Arms Act.

3. Earlier the petitioner has moved for grant of regular
bail in Cr. Misc. No. 58456 of 2023 which was allowed vide
order dated 06.10.2023 but the learned Court below has not
accepted the bail bond of the petitioner on the ground that the
petitioner has concealed his criminal antecedents and after
verification it was found that the petitioner carries three criminal
antecedents other than the present one but in the bail petition the



petitioner has stated that the petitioner has clean antecedent. Thereafter, the petitioner has moved before this Court in Cr. Misc. No. 84849 of 2023 for modifying the order dated 06.10.2023 which was also dismissed vide order dated 05.01.2024.

4. Learned counsel for the petitioner submits that the petitioner has been granted regular bail by this Court in Cr. Misc. No. 58456 of 2023 but the bail bond of the petitioner has not been accepted by the learned Court below. The petitioner is in custody since 04.01.2022.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries 3 criminal antecedents other than the present one but fairly submits that the petitioner is on bail in all the three cases.

6. Considering the aforesaid facts and circumstances that the petitioner has already been granted bail by this Court and the bail bond of the petitioner was not accepted by the learned Court below 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 the learned Additional Sessions Judge



V, Munger in connection with S.T No. 101 of 2022, Kotwali (Basudeopur) P.S. Case No. 02 of 2022, subject to 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 absence on two consecutive dates without sufficient reason, his 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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