

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79458 of 2023

Arising Out of PS. Case No.-19 Year-2022 Thana- UDAKISHUNGANJ District- Madhepura

Suman Kumar @ Suman Mehta Son Of Sri Vilash Mehta @ Bilash Mehta
Resident Of Village - Yogiraj, Ward No. 9, Police Station -PURAINI District-
Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agarwal, Sr. Advocate
	:	Mr. Alok Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 12-01-2024 Heard Mr. N.K. Agarwal, learned senior counsel
for the petitioner and Mr. Chandra Bhushan Prasad, learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with ST
Trial No.192 of 2022 arising out of Udakishunganj P.S. Case
No.19 of 2022, FIR dated 26.01.2022 for the offences
punishable under Sections 302 and 120B of the Indian Penal
Code and Section 27 of the Arms Act.

3. Earlier the prayer for bail of the petitioner was
rejected vide order dated 22.03.2023 passed in Cr. Misc. No.
55633 of 2022 again the petitioner moved before this Hon'ble
Court in Cr. Misc. No.31012 of 2023 which was dismissed as
withdrawn.



4. Learned senior counsel for the petitioner submits that the petitioner is innocent and he has falsely been implicated in the present case. He submits that the name of the petitioner transpired on the confessional statement of the co-accused person. He further submits that the other accused persons have been granted bail by this Hon'ble Court and from different Co-ordinate Benches of this Hon'ble Court. The petitioner is rotting in judicial custody since 27.04.2022.

5. Learned APP for the State vehemently opposed the prayer for bail of the petitioner and submits that the petitioner himself confessed his guilt in this case apart from that the petitioner carries two other than the present but fairly submits that on the basis of the paragraph-3 of the bail petition that the petitioner in on bail on both the pending cases.

6. Considering the aforesaid facts and circumstances, 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-I, Madhepura in connection with ST Trial No.192 of 2022 arising out of Udakishunganj P.S. Case No.19 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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