

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18799 of 2015

Arising Out of PS.Case No. -516 Year- 2014 Thana -BIHTA District- PATNA

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Guru Charan Prasad @ Guru Prasad Yadav @ Guru Prasad son of Kaushal Roy, Resident of village - Anandpur, P.S. Bihta, District Patna at Present address new Punail Chak, Ward No. 21, P.O. Punail Chak, P.S. Shastri Nagar, District- Patna

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Md. Helal Ahmad, Advocate.

For the Opposite Party/s : Mr. Abhay Kumar-I(App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 17-06-2015

Heard learned counsel for the parties.

The petitioner faces prosecution for offence under Section 304(B) and 201/34 of the Indian Penal Code and the allegations as made in the FIR would basically involve Arun Kumar the husband of the deceased lady namely Ruchi Kumari. The petitioner is only a cousin great grand father of the husband of the deceased lady, namely Arun Kumar and the petitioner has also got no criminal antecedent. Thus, his case would stand on a different footing in comparison to the husband of the deceased lady namely Arun Kumar.

Considering all these aspects, this Court would direct that if the petitioner Guru Charan Prasad @ Guru Prasad Yadav @

Guru surrenders before the court below within a period of four weeks from today, he shall be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Danapur in connection with Bihta P.S.Case No. 516 of 2014, subject to the following conditions:

- (i) That both the bailors will be close family relatives of the petitioner, who will undertake an affidavit giving genealogy as to how they are related with the petitioner. The bailors will also undertake to inform the court if there is any change in the address of the petitioner.
- (ii) That the affidavit shall clearly state that the petitioner is not accused in any other case and if he is, he shall not be released on bail.
- (iii) That the bailors shall also state on affidavit that they will inform the court concerned, if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of his bail on the ground of misuse.

(iv) That the petitioner will be well represented on each and every date in course of trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled on this ground alone.

(Mihir Kumar Jha, J)

Sujit/-

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