

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 45259 of 2017

Arising Out of PS.Case No. -82 Year- 2017 Thana -MAUZAHDIPUR District- BHAGALPUR

=====

Ganga Roy @ Gangu son of Laddu Roy resident of Mohalla - Klabganj,
Dhanuk Tola, Mirjanhat, P.S. - Mojahidpur, District - Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr Manoj Kumar Jha, Advocate

For the S t a t e : Mr Shyam Kumar Singh, APP

=====

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 20-09-2017

Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks bail in a case registered under
Sections 302, 120B/34 of Indian Penal Code.

The allegation made by the informant regarding the
killing of his brother is in respect of one Varun Roy. It is
submitted on behalf of the petitioner that the petitioner has not
been named in the first information report and only Varun Roy,
who is said to be the main and sole assailant, has been named in
the FIR. It is further submitted that only on some suspicion raised
by the mother of deceased, in her statement made before the
police, the petitioner has been dragged in the instant case. It is
also submitted that there is no material whatsoever against him



other than the suspicion raised by the mother of the deceased. Petitioner is in custody since 04.08.2017 and prior to the instant case, there is no criminal antecedent of the petitioner.

Considering the aforesaid submissions, prayer for bail is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge II, Bhagalpur in Sessions Trial No 756 of 2017 arising out of Mojahidpur Police Station Case No 82 of 2017 subject to the following conditions:

- (i) *That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor 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 an accused in any other case and if he is, he shall not be released on bail.*
- (iii) *That the bailor shall also state on affidavit that he 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 bail on the ground of misuse.*
- (iv) *That the petitioner will give an undertaking that he will receive the police papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse.*



- (v) *That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.*

(Madhuresh Prasad, J)

M.E.H./-

U		T	
---	--	---	--

