

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63017 of 2017

Arising Out of PS.Case No. -94 Year- 2017 Thana -VIJAYPUR District- GOPALGANJ

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Rajan Gond S/o Shyam Sundar @ Shyam Sunder Gond, R/o Village-
Patkhauli, P.s.- Vijaypur, District- Gopalganj.

..... Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harsh Anuj, Advocate
For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

3 17-02-2018 Heard counsels for the petitioner and the informant as
also the learned APP for the State.

This is a case registered under Sections 302 and 394
of the Indian Penal Code.

Learned counsel for the informant and learned APP
for the State oppose the petitioner's prayer for bail by contending
that he is one of the persons who was involved in hatching the
conspiracy leading to the occurrence.

It is submitted by the counsel for the petitioner that
though there is one case pending against him details of which has
been disclosed in Para 3 of the petition but the same is in relation
to land dispute with Gotia and in that case he is on bail. Nothing
has been recovered from his possession to incriminate in the
instant case and he is in custody since 07.06.2017. He further



submits that he has been implicated in this case on his own confessional statement which is inadmissible. He further submits that the petitioner is entitled to parity with one Abhisekh Kumar who is similarly situated and who has been granted bail in Cr. Misc. No. 56389 of 2017.

In the facts and circumstances of the case, prayer for bail of the petitioner 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 **Chief Judicial Magistrate, Gopalganj** in **Vijaypur P.S. Case No. 94 of 2017** subject to the 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 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)

Prakash/-

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