

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79953 of 2018

Arising Out of PS. Case No.-252 Year-2018 Thana- GAURICHAK District- Patna

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Golu Kumar Son of Sharmanand Rai, Resident of Village-Jamanpura, Police
Station- Gaurichak, District- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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with

Criminal Miscellaneous No. 6759 of 2019

Arising Out of PS. Case No.-252 Year-2018 Thana- GAURICHAK District- Patna

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SUJEET KUMAR @ S JEET KUMAR @ SUJIT KUMAR Devanand Ray
Resident of Village - Jamunapur,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In Criminal Miscellaneous No. 79953 of 2018)

For the Petitioner/s : Mr.Rajeev Ranjan Sinha, Adv

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

(In Criminal Miscellaneous No. 6759 of 2019)

For the Petitioner/s : Mr.Rajeev Ranjan Sinha, Adv

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

6 25-02-2019 Heard learned counsel for the parties.

Petitioners seek bail in **Gaurichak P.S. Case No.**
252/18 registered for the offence punishable under Sections
147, 148, 149 and 302 of the Indian Penal Code.

Informant has alleged that his elder brother had gone
in market to purchase some articles for performance of Puja



and he was informed that some persons are assaulting him and he went there with his another brother and found that ten F.I.R. named accused are assaulting his brother by means of lathi, danda, farsa and bricks. Anyhow, he brought his brother and admitted him in N.M.C.H. hospital, however, he succumbed to his injuries.

It has been submitted on behalf of the petitioners that they are innocent and have been falsely implicated in this case and his name has surfaced in this case on the basis of restatement of the informant in which it has been stated that the petitioner was also one of the assailants who was present at the place of occurrence. Charge-sheet has been submitted against the petitioners. Petitioners have got no criminal antecedent and are is in custody since 26.07.2018.

Learned counsel for the Informant vehemently opposes the prayer for bail and submits that prosecution version fully supports the case of Informant.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned **Addl. Chief Judicial Magistrate-VII, Patnacity** in connection



with **Gaurichak P.S. Case No. 252/18**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the court below.

(3) If the petitioners tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(S. Kumar, J)

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