

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45639 of 2019

Arising Out of PS. Case No.-219 Year-2018 Thana- KATRA District- Muzaffarpur

Gaurav Kumar Thakur Son of Munna Thakur Resident of Village - Saidpur,
P.S.- Katara, Dist.- Muzaffarpur ... Petitioner

Versus

The State Of Bihar ... Opposite Party

Appearance :

For the Petitioner	:	Mr.Mrityunjay Kumar, Advocate
For the State	:	Mr.Arun Kumar Singh, Addl Public Prosecutor
for the informant	:	Mr. Satish Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 20-09-2019 Heard learned counsel for the parties and perused the case diary.

Petitioner is an accused in a case registered for the offence punishable under sections 120B,302/34 of the IPC and 27 of the Indian Penal Code.

The informant alleges that his son Prabhakar went out of the house by a car and he did not return and thereafter he was informed that his son has been killed by causing firearms injuries on the head and neck and knife injury in his eyes. Informant alleges that before this brutal offence, the petitioner had beaten his son in the orchard over some dispute.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case merely on suspicion and previous enmity. There is no eye witness to the occurrence and nothing has been collected during investigation to implicate the petitioner with the offence. Further, the relevant mobile number does not belong to him. Occurrence took place on 10.10.2018 but the same was reported to the police on 12.10.2018, without any explanation of delay. Charge sheet has also been filed in the case, as such, there is no chance of tempering with the evidence. Petitioner is in custody since 14.11.2018.



Learned counsel for the informant vehemently opposes the prayer for bail.

In view of the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner, mentioned above, 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 Additional Sessions Judge XIV, Muzaffarpur in Sessions Trial No. 74 of 2019 on the following conditions:-

(1) 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

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

(Prabhat Kumar Singh, J)

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