

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52534 of 2019

Arising Out of PS. Case No.-122 Year-2019 Thana- GAUTAMBUDHNAGAR District-
Siwan

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Vivek Bishwakarma, S/o Ramu Vishwakarma R/o village- Pipradih, Ward
No.-13, P.S.- Jhajha, District- Jamui

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tuhin Shankar

Mr. Jawed Alam

For the Opposite Party/s : Ms. Pushpa Sinha

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 20-11-2019 Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in connection with G.B. Nagar
P.S. Case No.122 of 2019, instituted for the offence under Sections
302, 201/34 of the Indian Penal Code.

The FIR is alleging that in-laws have tortured and ousted
the victim girl from her home and that they have done her death. A
new story developed in the course of investigation and the
petitioner has been roped into the instant case on the basis of his
own confessional statement. The further allegation is that petitioner
has been blackmailing the victim girl and that he has made obscene
clippings of the victim to extort money from her. The petitioner has
no criminal antecedent.

It is submitted that even from the case diary other than
confessional statement of the petitioner, no evidence has come to



support the story propounded on the basis of confessional statement, which is at variance with the F.I.R.

Learned APP has opposed the prayer for bail by submitting that there is specific confession of the petitioner.

Having considered the rival submission and the fact that the petitioner is in custody since 14.06.2019, prayer for bail is allowed. Let the petitioner, above named, 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 Chief Judicial Magistrate, Siwan, in connection with G.B. Nagar P.S. Case No.122 of 2019, 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 petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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