

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77342 of 2018

Arising Out of PS. Case No.-245 Year-2018 Thana- KHAJEKALA District- Patna

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GOLU KUMAR @ DEEPAK KUMAR @ GOLU Son of Anil Mahto @ Anil Prasad Resident of near Kali Mandir,Sadar Gali,Police Station-Khajekalan,Distt.-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Singh, Advocate

For the Opposite Party/s : Mr.Sri Abhay Kumar Roy

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 11-01-2019 Heard Mr. Anil Singh, learned counsel appearing on behalf of the petitioner and Mr. Sandeep Kumar learned counsel appearing on behalf of the informant as well as counsel appearing on behalf of the State.

The petitioner is in custody in connection with Khajekalan P.S. Case No. 245 of 2018 for the offence under Sections 302, 34 of the Indian Penal Code and 27 of the Arms Act.

Learned counsel for the petitioner would submit that petitioner has no criminal antecedent. Referring to the prosecution case he submits that allegation against this petitioner is that he was among the member of the mob who has done death to the son of the informant. Learned counsel for the



petitioner would submit that similar allegation like the petitioner was levelled against Prince @ Rajiv Kumar and Bhola @ Vinay Rai were granted regular bail vide order dated 22.11.2018 and 11.12.2018 in Crl. Misc. No.64407 of 2018 and Crl. Misc. No. 71968 of 2018 respectively.

Learned counsel appearing on behalf of the informant would submit that accused persons have criminal antecedent and as such he has instruction to oppose the bail application.

Referring to the paragraph 3 of the petition, Mr. Anil Singh, learned counsel appearing on behalf of the petitioner would submit that petitioner has no criminal antecedent.

Considering the facts and circumstances that other accused persons having similarly allegation have been granted bail and the statement made in paragraph-3 that petitioner has no criminal antecedent, let the petitioner named above, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Patna City, Patna in connection with Khajekalan P.S. Case No. 245 of 2018 with condition that Court below before releasing the petitioner shall verify about the criminal antecedent of the petitioner and if it is found that petitioner has criminal antecedent he shall not



release the petitioner otherwise petitioner shall be released on bail. It goes without saying that petitioner shall co-operate in the earlier disposal of the trial.

(Anil Kumar Upadhyay, J)

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