

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.373 of 2020

Arising Out of PS. Case No.-106 Year-2019 Thana- GWALPARA District- Madhepura

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RUPESH KUMAR Son of Kamleshwari Yadav Resident of Village - Rajpur -
Sarsandi, Ward No.6, P.S.- Gwalpara, Distt.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pawan Kumar

For the Opposite Party/s : Mr.Rana Randhir Singh

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 20-01-2020

Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 341, 342, 307, 34 of the Indian Penal Code and Section 27 of the Arms Act.

Informant has alleged that his son-in-law Lavkush Kumar after loading 500 bags of maize was proceeding towards his destination on the truck when he heard that he was shot dead by some unidentified miscreants.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case on the basis of his self-confession and except his own confession, there is no any other incriminating material against him. Petitioner is not named in the FIR. Petitioner has got no criminal antecedent and is in custody since 26.07.2019.



Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Gwalpara P.S. Case No. 106/19 with following conditions:-

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

(2) 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.

(3) If the petitioner 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 petitioner.

(S. Kumar, J)

Sanjay/-

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