

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65003 of 2019**

Arising Out of PS. Case No.-166 Year-2019 Thana- NAUGACHIA District- Bhagalpur

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Guddu Kumar Son of Suresh Prasad @ Suresh Yadav Resident of Village -
Kayampur, Mansurpur Dih, Lodipur, Police Station- Khusroopur, District-
Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Mushtaque Alam, Advocate

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam, APP

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 24-01-2020 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in **Naugachia P.S. Case No. 166 of 2019**, registered for the offences punishable under Sections 302 and 34 of the Indian Penal Code.

The prosecution case in brief is that son of informant used to work in Laloo's garage, as Mechanic. On 18.05.2019, the informant got information that his son was found hanging with wire. The informant has full confidence that all the accused persons including this petitioner committed murder of his son.

It is submitted by learned counsel appearing on behalf of petitioner that petitioner has falsely been implicated in this case on mere suspicion. There is no eye-witness of the occurrence. Co-accused Md. Salman has already been granted by this court vide order dated 25.11.2019 passed in Cr. Misc.



No. 69184 of 2019. Charge-sheet has already been submitted and there is no allegation of tampering with the evidence against this petitioner. Petitioner is in custody since 19.05.2019 having clean antecedent.

Considering the facts aforesaid, the petitioner above-named, is directed to be enlarged 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 learned **Additional Chief Judicial Magistrate Ist Class, Naugachia** in connection with **Naugachia P.S. Case No. 166 of 2019**, subject to the following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) 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.

(Prabhat Kumar Singh, J)

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