

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1592 of 2020

Arising Out of PS. Case No.-98 Year-2015 Thana- BAIKUNTHPUR District- Gopalganj

KANHAIYA PRASAD Son of Harihar Prasad Resident of Village - Mahua,
P.S.- Baikunthpur, Distt.- Goapalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Naushad Uzzoha, Advocate

For the Opposite Party/s : Mr.Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 24-06-2020 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in **Baikunthpur P.S. Case
No. 98 of 2015**, registered for the offence punishable under
Sections 302, 34 of the Indian Penal Code.

As per prosecution case, on 01.06.2015 at 6.00 pm,
the daughter of informant went to attend the natural call, but she
did not return. During search, the informant found the dead
body of his daughter. It is further alleged that this petitioner
along with other co-accused committed murder of his daughter
due to land dispute.



It is submitted on behalf of the petitioner that petitioner has falsely been implicated in this case. There is no eye-witness of the occurrence. Nothing has been recovered from possession of this petitioner which shows involvement of this petitioner in the murder of informant's daughter. The informant and the petitioner are own brothers. Petitioner is in custody since 14.11.2019 having clean antecedent.

Considering the facts and circumstances of the case, 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 **Judicial Magistrate Ist Class, Gopalganj** in connection with **Baikunthpur P.S. Case No. 98 of 2015** subject to 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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