

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13776 of 2021

Arising Out of PS. Case No.-39 Year-2020 Thana- DEO District- Aurangabad

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Gopal Bhuiya Male, 21 years, S/O Akhilesh Bhuiya @ Akhilesh Bhuiya R/O
Village Bishnu Bandh, P.S- Deo, District Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bindeshwar Prasad Singh
For the Opposite Party/s : Mr.Vinod Shankar Modi

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-06-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Deo P.S. Case No. 39 of 2020, registered for the offence under Sections 147, 148, 149, 341, 323, 324, 354, 504, 307, 302 of the Indian Penal Code.

As per the prosecution case, this petitioner alongwith three other accused persons named in the FIR tried to commit molestation on two girls and when they raised alarm, sons of the informant namely Deepu Bhuiya and Deepak Bhuiya came in rescue and thereafter, petitioner and other accused persons fled away. It is further alleged that later on, other eight FIR named accused persons, armed with several weapons, came to the house of informant and brutally assaulted both sons of the informant, as a result of which, they received serious injury and



during course of treatment, both sons of informant died.

It is submitted on behalf of petitioner that from bare perusal of FIR, it is apparent that petitioner is only alleged to have tried to commit molestation and this petitioner is not the assailant of the deceased and petitioner is not alleged to have caused any physical assault on the deceased. Petitioner has got clean antecedent and he is in custody since 19.05.2020. Investigation is complete.

Learned A.P.P. for the State has opposed the bail petition.

Considering the nature of allegation and period of custody, the bail petition of petitioner is allowed. Let the above named petitioner 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 learned C.J.M., Aurangabad (Bihar) in connection with Deo P.S. Case No. 39 of 2020, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the



prosecution will be at liberty to move for
cancellation of bail.”

(Prabhat Kumar Singh, J.)

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