

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25452 of 2021**

Arising Out of PS. Case No.-630 Year-2019 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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Golu Kumar, Son of Vindeshwar Sah @ Bindeshwar Sah @ Vindeshwar
Sahni, R/O Mohalla - Zeromile, P.S.- Ahiyapur, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amrendra Kumar, Advocate
For the Opposite Party/s : Mr.Umesh Lal Verma, APP

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**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER**

3 15-12-2021 Heard learned Counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with
Muzaffarpur Sadar P.S. Case No.630 of 2019, corresponding to
G.R. No.5036 of 2019, registered for the offence punishable
under Section 393 of the Indian Penal Code.

By order dated 15.12.2020 prayer for bail was
rejected earlier in Cr.Misc. No.28996 of 2020. While rejecting
the prayer, liberty was, however, granted to the petitioner to
approach this Court for bail after framing of charges.

Counsel for the petitioner has drawn attention of the
Court towards the order dated 18.01.2021, copy of which has
been filed as Annexure 3 to the present application, to support



the submission that on the said date, charges have been framed. The petitioner is in custody since 11.09.2019 and there is a submission that it is a case of false implication as he was not directly arrested by the police, but the victim has claimed that the accused persons, including the petitioner, have been apprehended by the local people and handed over to the police. The petitioner has no criminal antecedents.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, 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 Chief Judicial Magistrate, Muzaffarpur, in connection with Muzaffarpur Sadar P.S. Case No.630 of 2019, subject to the following conditions:

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit



giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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