

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30280 of 2021

Arising Out of PS. Case No.-148 Year-2020 Thana- KATEYA District- Gopalganj

LAKSHMAN UPADHYAY S/O LATE RAMESHJI UPADHYAY R/O
VILLAGE-DUMARIYA, P.S.-KATEYA, DISTRICT-GOPALGANJ

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vyas Kumar Mishra, Adv.

For the Opposite Party/s : Smt Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 30-06-2021 Heard Mr. Vyas Kumar Mishra, learned counsel for the petitioner and Smt. Veena Kumari Jaiswal, Additional Public Prosecutor for the State through video conferencing.

2. Petitioner has renewed his prayer for bail inasmuch as earlier bail application of the petitioner (Annexure-1) was rejected giving him liberty to renew his prayer after four months.

3. The allegation, as per FIR, is that *Mahanth* of a *Mutt* was, allegedly, killed by an injury caused on his head with a hard and blunt substance and during course of investigation, name of one Ajay Rai surfaced with the aid of sniffer dog and the said Ajay Rai has, allegedly, confessed before the police that he killed the deceased with a bamboo stick on his head and he also disclosed regarding involvement of the petitioner along with other accused persons in commission of



the present offence. Petitioner is also said to have admitted his participation in his confessional statement before the police.

4. Learned counsel for the petitioner submits that the the said co-accused, Ajay Rai has been granted bail this Court *vide* Cr. Misc. No. 4823/2021 and further another co-accused, namely, Nityanand Mishra @ Bade Mishra has also been granted bail by a co-ordinate Bench of this Court *vide* Cr. Misc. No. 33110/2020 (Annexure-3). Learned counsel next submits that petitioner is in custody since 22.05.2020.

5. Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that similarly situated co-accused persons have been granted bail by the Benches of this Court and the petitioner is in custody since 22.05.2020, I am inclined to grant regular bail to the petitioner subject to the condition that petitioner will be well represented on each and every date in the trial and if he fails to do so on two consecutive dates, his bail bonds will be liable to be cancelled.

6. Accordingly, let the petitioner, LAKSHMAN UPADHYAY be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial



Magistrate, Gopalganj in connection with Kateya PS Case No.
148/2020.

7. It is made clear that at the time of furnishing bail
bonds all the parties shall follow the covid protocol like
social/physical distancing and sporting masks.

(Anil Kumar Sinha, J)

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