

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33338 of 2021

Arising Out of PS. Case No.-218 Year-2020 Thana- JHANJHARPUR District- Madhubani

GAURI SHANKAR @ GAURI SHANKAR YADAV Son of Ramashish
Yadav Resident of Village - Ramnagar, Pirojganj, P.S.- Ghoghardiha, District
- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13

For the Opposite Party/s : Mrs. Veena Kumari Jaiswal

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 02-09-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for
the offence punishable under Section 302, 34, 394, 411 of the
Indian Penal Code.

As per the prosecution case on 24.10.2020 at 9.45 PM
the elder brother of informant went to school to meet one of the
employees on motor cycle. At about 10.45 the informant got
information that his brother was lying in injured condition.
Thereafter, the informant and his relatives went to Durga Sthan,
Majhaura where he found his brother in injured condition. The
informant brought his brother to hospital but he died during the
course of treatment.

Learned counsel appearing for the petitioner submits



that petitioner is not named in the FIR. The name of petitioner has come in this case during the course of investigation in the confessional statement of co-accused, Gautam Pandey. The only material that has come against the petitioner is confessional statement of co-accused and from CDR of mobile of petitioner it transpired that at the time of occurrence this petitioner was talking with other accused persons. Petitioner is in custody since 29.10.2020 and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioner, 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 Additional Sessions Judge-IV, Jhanjharpur, Madhubani in connection with Jhanjharpur PS case No. 218/2020 on the following conditions:-

(1) 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 on his/ her absence on two consecutive dates without sufficient reason, his/her 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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