

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4110 of 2021

Arising Out of PS. Case No.-21 Year-2020 Thana- GALGALIYA District- Kishanganj

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GOPAL PANDIT S/o Sitaram Pandit Resident of Besarbati, P.S.- Galgalia,
District- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mrityunjay Kumar

For the Opposite Party/s : Mr.APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-03-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 13.07.2020 in connection with Galgalia P.S. Case No. 21/2020 registered for the offences punishable under Sections 302/34 of the Indian Penal Code.

As per the prosecution case, on 11.07.2020 at about 7 O'clock when the husband of the informant, namely, Satyanarayan Yadav went to sleep with her son in the cow shed and the informant also went to sleep with her another son in varandah, at about 03:00 a.m., the informant woke up after hearing the sound of Buffalos and went inside the cow shed and found her husband lying dead in the pool of blood. Suspicion has been raised against this petitioner and co-accused Lakhwa Pandit who misbehaved with her daughter two years before and



both of them have been punished by the Panchayat. It is suspected that both of them might have killed her husband.

It is submitted on behalf of the petitioner that petitioner has been named in this case only on the basis of suspicion. It is further submitted that informant is not the eye-witness of the occurrence. It is submitted that save and except suspicion, there is no cogent material to rope in this petitioner in connection with the present case. Chargesheet has already been submitted in this case. Petitioner has got no criminal antecedent and he is in custody since 13.07.2020.

Considering the aforesaid facts and circumstances, the bail petition of the petitioner is allowed. Let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of learned Sessions Court, Kishanganj, in connection with Galgalia P.S. Case No. 21/2020, subject to 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 on his absence on two consecutive dates without sufficient reason, his bail-bonds shall be



cancelled by the Court below.

(2) If the petitioner tempers 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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