

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15415 of 2022

Arising Out of PS. Case No.-312 Year-2021 Thana- NAGAR District- Vaishali

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PRAKASH KUMAR @ PRAKASH GIRI Son of Arvind Giri @ Giri Ji
Resident of Village/ Mohalla- Bagmusa, Ward No.-04, P.S.- Hajipur Town,
District- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vasant Vikas

For the Opposite Party/s : Mr.Rajeev Nayan (App 231)

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 17-10-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Hajipur Town P.S. Case no. 312 of 2021 instituted for the
offence under Section 302/34 of the Indian Penal Code.

As per allegation in the FIR, accused petitioner was
involved in the commission of murder of the informant's son by
way of hanging.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. Informant's son has committed suicide due to
depression. Petitioner has no concern with other co-accused



persons even with the petitioner. No specific allegation of overt act is against him. He has got no criminal antecedent.

Learned counsel APP appearing for the State has opposed the prayer of Bail and submitted that there was money transaction among his son and accused persons named in the FIR were busy in liquor business. In re-statement as recorded in para no. 3 of the case diary informant has fully supported the case of prosecution.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Hajipur Town P.S. Case no. 312 of 2021, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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