

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31660 of 2021**

Arising Out of PS. Case No.-311 Year-2019 Thana- MAHARAJGANJ District- Siwan

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KALYANJEE PRASAD @ KALYANJEE PRASAD @ GORAKHNATH
PRASAD Son of Devanand Prasad, Resident of Village- Purani Bazar, P.S.-
Maharajganj, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Senior Advocate Mr. Priyanka Singh, Adv. Mr. Anuj Kumar, Adv. Mr. Ravi Shankar Singh, Adv. Mr. Madhav Raj, Adv.
For the Opposite Party/s	:	Mr. Arun Kumar Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 02-03-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the office within one

month.

Heard Mr. Yogesh Chandra Verma, the learned senior
counsel for the petitioner as well as the learned Additional
Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with
Maharajganj P.S. Case No. 311 of 2019 registered for offence
punishable under sections 302, 120(B)/34 of the Indian Penal
Code.

The informant Madan Prasad lodged FIR, stating



therein that his son Golu @ Tejashwi Kumar, the deceased was shot dead. The co-accused Ashwini Kumar fired shot on the head of the deceased. In the last portion of the FIR, the informant has expressed his belief that the accused persons, including the petitioner were involved in the conspiracy of the murder of his son.

The learned Senior counsel, Mr. Yogesh Chandra Verma has submitted that no material emerged during the course of investigation, as such, the present petitioner and some accused persons have not been sent up for trial, but cognizance has been taken even against the petitioner and the persons, who have not been sent up for trial. He has submitted next that on the similar ground, co-accused Anand Kumar @ Shambhunath Prasad has been granted anticipatory bail by this Court in Cr. Misc. No. 37349 of 2021.

Considering the above mentioned facts and circumstances, the petitioner above named, in the event of his arrest or surrender, within four weeks from today, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Siwan in connection with Maharajganj P.S. Case No. 311 of 2019, subject



to condition as laid down under section 438(2) Cr. P.C.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey , J)

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