

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45173 of 2021**

Arising Out of PS. Case No.-187 Year-2020 Thana- KURTHA District- Jehanabad

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GAGAN SAO Son of Dinanath Sao Resident of Village- Salepur, P.S.-
Kurtha, District- Arwal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Rama Kant Sharma, Sr. Advocate
		Mr. Lakshmi Kant Sharma, Advocate
For the Opposite Party/s :		Mr. Bharat Bhushan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 31-03-2022 Heard learned Senior Counsel appearing on behalf of
the petitioner and learned APP for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

Petitioner, who is in custody since 03.04.2021, seeks
regular bail in connection with Kurtha P.S. Case No. 187 of
2020 dated 28.08.2020 registered for offences punishable under
Sections 341, 323, 337, 338, 307, 504, 506/34 of the Indian
Penal Code and Section 27 of the Arms Act.

Sri Rama Kant Sharma, learned Senior Counsel
appearing on behalf of the petitioner submits that Rani Kumari,
who is the widow daughter of the informant used live along
with the petitioner and wants to enter into matrimonial



relationship. Petitioner is also ready to keep the child of the daughter of the informant along with him. The allegation of assault to have been committed by the petitioner is not sustainable. It will be in the interest of the parties that the petitioner may be released on any terms and conditions to lead a happy matrimonial life along with said Rani Kumari.

Without going into the merits of the case, the Court below is directed to take statement of Rani Kumari, daughter of the informant as well as wife of the informant and informant and at the same time, the statement of the father of the petitioner and other family members and all those persons whose statement has been taken in course of investigation within a period of three months and pass a fresh order without being prejudiced by order dated 11.06.2021 after being satisfied that said Rani Kumari too wants to live along with the petitioner the Court below may release the petitioner provisionally on terms and conditions imposed by it and after one year if it is found that the conduct of the petitioner is fair enough and no complaint is made by Rani Kumari, the provisional bail of the petitioner shall be confirmed on such terms and conditions imposed by the Court below.

It is made clear that petitioner was not released on



provisional bail and to that effect he has brought on record by way of supplementary affidavit duly filed on his behalf.

With above observation and direction, the present bail application is disposed of.

(Purnendu Singh, J)

Niraj/-

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