

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61925 of 2021

Arising Out of PS. Case No.-182 Year-2021 Thana- GOPALPUR District- Patna

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Raju Kumar @ Raghu S/O Ram Babu Kewat @ Rm Babu Sahani Resident of
Sadikpur, Langru Akhara, P.S.- Alamganj, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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with
CRIMINAL MISCELLANEOUS No. 69311 of 2021

Arising Out of PS. Case No.-182 Year-2021 Thana- GOPALPUR District- Patna

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Gaurav Patel@ Golu Patel S/O Shri Ranjit Kumar R/o Mohalla- Amarpur,
Gulzarbagh, Railway Gumti, P.S.- Mehndi Ganj, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 61925 of 2021)

For the Petitioner/s : Mr. Rajesh Mohan, Adv.

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

(In CRIMINAL MISCELLANEOUS No. 69311 of 2021)

For the Petitioner/s : Mr. Deepak Kumar, Adv.

For the Opposite Party/s : Mr. Pranav Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 29-09-2022 Let the defect(s), if any, be removed within two weeks

from today.

Heard learned counsels for the petitioners and learned

A.P.Ps. for the State.

The petitioners seek regular bail in connection with

Gopalpur P.S. Case No. 182 of 2021 lodged under Sections

302/120(B)/34 of the I.P.C.

As per the prosecution case, the allegation of murder of the informant's brother is there in the F.I.R. against unknown criminals.

Learned counsel for the petitioners submit that name of the petitioners are figured in this case by virtue of the confessional statement of Abhishek Kumar which has come in paragraph 53 of the case diary. Learned counsel for the petitioners further submit that except the confessional statement, there is no cogent materials, even the arms used in commission of crime has also not been recovered by the I.O.

Learned counsel for the first case submits that petitioner no. 1 is in custody since 23.06.2021 having one antecedent in which he is on bail whereas in the second case petitioner is in custody since 10.06.2021 having clean antecedent, charge sheet has already been filed in both the cases.

Learned counsel for the State opposes the prayer for bail and submits that name of both the petitioners have come in this case by virtue of a confessional statement of Abhishek Kumar and their own confessional statements. He further submits that after going through the case diary, the weapon used in commission of the crime could not be searched by the I.O.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees

Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Judge-IX-Cum A.C.J.M., Patna in connection with Gopalpur P.S. Case No. 182 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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