

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68782 of 2021

Arising Out of PS. Case No.-55 Year-2021 Thana- MANSURCHAK District- Begusarai

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Gaurav Kumar Son of Mokatar Paswan Resident of Village - Harichak, P.S. -
Mansoorchak District - Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sabal Kumar Jha, Adv.

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 13-10-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Mansoorchak P.S. Case No. 55 of 2021 lodged under Sections
302/ 201/ 34 of the I.P.C.

As per the prosecution case, the father of the
informant has intimated that his son who used to do work of
photography, went to attend marriage ceremony and he went on
the evening of 16.05.2021 for photography by his motorcycle.
On the next day, when informant started searching then he
received an information that a dead body has thrown near
village Agapur. After seeing the dead body, he realised that it

was his son who was murdered by strangulating his neck and therefore, filed this criminal case against unknown accused persons.

Learned counsel for the petitioner submits that the name of the petitioner has figured in this case by virtue of self-confession. He further submits that he is innocent and has committed no offence. He also submits that antecedent of the petitioner is clean and he is in custody since 23.05.2021, charge sheet has already been filed in this case.

Learned counsel for the State opposes the prayer for bail and submits that from the case diary, it transpires that the deceased was in love with a girl and due to this reason his murder took place. He submits that the only material is the self-confessional statement of the petitioner is against him.

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 C.J.M. Begusarai in connection with Mansoorchak P.S. Case No. 55 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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