

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70857 of 2021

Arising Out of PS. Case No.-124 Year-2021 Thana- BAKHTIYARPUR District- Patna

GUJJAL RAI Son of Ramdeo Rai Resident of Village - Nayatola Dedaur,
P.S.- Bakhtiyarpur, District - Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Manoj Kumar Pandey
		Mr.N.K Agrawal
		Mr.Kumar Rajdeep
For the Opposite Party/s :		Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

4 17-10-2022 Let the defect(s), as pointed out by the office, be removed within a period of four weeks from today.

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

The petitioner seek bail in connection with Bakhtiyarpur P.S. case No. 124 of 2021, registered for the offences punishable under Sections 302 and 201 of the I.P.C.

As per prosecution case, informant's brother was murdered by unknown persons.

Learned counsel for the petitioners submits that petitioner is not named in the FIR, during the course of investigation his name has been surfaced in para 19 of the case diary and petitioner has confessed his guilt. Except self



confessional statement there is nothing on record to demonstrate the complicity of petitioners with the alleged occurrence. Petitioner is in custody since 16.07.2021 and petitioner bears no criminal antecedent. He further submits that there is no eye witness to the alleged occurrence. No incriminating article has been recovered from the possession of the petitioner.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioners.

Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent, petitioner is not named in the FIR, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioners above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M III, Barh, District-Patna in connection with Bakhtiyarpur P.S. Case No. 124 of 2021, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.



(ii) Petitioners will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

vashudha/-

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