

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71806 of 2021**

Arising Out of PS. Case No.-254 Year-2017 Thana- BAKHTIYARPUR
District- Patna

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Gobinda @ Goga Son of Krishna Ram @ Krishna Lal Resident of Village-
Belthan, Police Station- Bakhtiyarpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Ashok Kumar Kashyap, Advocate

For the State : Mr. Vinod Shanker Modi, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 06-04-2022 Let the defects, as pointed out by the office, be

removed within four weeks of starting of Court proceeding in

physical mode in normal course.

Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 302, 120(B), 34 of the Indian
Penal Code and Section 27 of the Arms Act.

As per allegation in the F.I.R., it has been alleged by the
informant Deepak Kumar on 06.07.2017 at about 9:00 P.M. his
father Dileep Kumar went for collection of money of selling rice
in the market his neighbour Chintu Kumar along with some
miscreants started firing and the local police took his father to
Bakhtiyarpur Hospital for treatment and referred to P.M.C.H. Patna



where he died.

Learned counsel for the petitioner submits that the petitioner is not named in the F.I.R. and he has been falsely implicated in the present case only on the basis of suspicion. He further submits that nothing has been recovered from the possession of the petitioner and except confessional statement of the petitioner nothing has come against the petitioner and police after investigation submitted chargesheet against the petitioner. Similarly situated co-accused Gautam Kumar @ Gautam Ram has been granted bail vide order dated 29.03.2022 in Cr. Misc. No. 50307 of 2021 and the petitioner is in custody since 12.08.2021.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Bakhtiarpur P.S. Case No. 254 of 2017, with the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient



reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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