

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5860 of 2023

Arising Out of PS. Case No.-285 Year-2020 Thana- GHOSI District- Jehanabad

LORIK PRASAD S/O DHANESHWAR PRASAD @ DHANESH YADAV
Resident of village- Pritam Bigha, P.S.- Ghosi, District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 22-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since 12.09.2022 in connection with S. Tr. No.688/2022, arising out of Ghosi/Okari P.S. Case No.285/2020, F.I.R. dated 14.07.2020, for the offences punishable under Sections 341, 323, 337, 338 and 302 of the IPC.

According to prosecution case, the daughter of the co-accused, namely, Sarita Devi has alleged that her mother has killed her father by means of bricks.

Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the petitioner is not named in the F.I.R. The name of the petitioner



has been transpired during investigation that the petitioner has illicit relation with the co-accused, namely, Sarita Devi, who happens to be the wife of the deceased. He further submits that the petitioner has no concern at all with the alleged occurrence and only on the basis of suspicion, the petitioner has falsely been implicated in the present case. He further submits that it has come during investigation that the co-accused, namely, Sarita Devi has killed her husband and the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 12.09.2022.

Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-2nd/concerned Court in connection with S. Tr. No.688/2022, arising out of Ghosi/Okari P.S. Case No.285/2020, subject to 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 witnesses, 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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