

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8199 of 2023

Arising Out of PS. Case No.-345 Year-2022 Thana- BHORE District- Gopalganj

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GUDDU SAH @ GUDU KHATIK @ KHATIK Son of Late Phulena Khatik
R/o- Rakhiwari, P.S.- Bhore, Dist.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Adv.

For the Opposite Party/s : Mr. Suman Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 22-06-2023 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in connection with Bhore
P.S. Case No. 345 of 2022 registered for the offence under
Sections 302/34 of the Indian Penal Code.

The daughter of the informant is alleged to have
been killed by the petitioner and others.

Learned counsel appearing for the petitioner
submits that the petitioner is innocent and has falsely been
implicated in this case. He further submits that there is no
eye witness to the alleged occurrence and merely on the
basis of suspicion, this petitioner has been made accused in
this case. He further submits that it appears from the F.I.R.



that no specific allegation of assault or any overt act is attributed to the petitioner but merely because the petitioner happens to be brother of the co-accused, Bulet Sah @ Rahul Sah who got married with the daughter of the informant made accused in this case. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 15.09.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries two more cases other than the present one.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 learned Chief Judicial Magistrate, Gopalganj in connection with Bhore P.S. Case No. 345 of 2022 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/her absence on two consecutive dates



without sufficient reason, his/her bail bond shall be canceled 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.

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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