

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19598 of 2023

Arising Out of PS. Case No.-236 Year-2022 Thana- PATAHI District- East Champaran

Gopal Kumar Singh Son Of Devaki Singh Resident Of Village - Badka Balua,
P.S. - Patahi, Distt. - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Tiwari, Advocate
For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 17-05-2023 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner seeks bail in connection with Patahi P.S. Case No. 236 of 2022, G.R. No. 6867 of 2022 dated 11.11.2022 registered for the offence punishable under Sections 302 and 34 of the Indian Penal Code.

3. The prosecution case, in short, as per written statement of informant is that there is feud between family of informant and Mahesh Sah. On 10.11.2022, Mahesh Sah and his son Guddu Sah invited son of informant and killed him by putting him in running Hadamba operating in the house of Mahesh Sah. It is further stated that the petitioner is the son of the owner of Hadamba and was present at the spot of the incident.



4. Learned Counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner is owner cum driver of the Hadamba machine and therefore, he was present at the spot and hence, has been named in the F.I.R. He is resident of other village. The petitioner is in custody since 11.11.2022, having no criminal antecedent and charge-sheet has been submitted in the case.

5. Learned A.P.P for the State opposes the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Patahi P.S. Case No. 236 of 2022.

(Khatim Reza, J)

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