

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 22390 of 2022**

Arising Out of PS. Case No.-1035 Year-2021 Thana- HAJIPUR SADAR District- Vaishali

JAYPRAKASH KUMAR SINGH @ JAY PRAKASH SINGH @
JAYPRAKASH KUMAR SINGH KUSHWAHA SON OF
CHANDRASHEKHAR SINGH R/O VILLAGE- KHAPURA, P.S.-
PALIGANJ, DISTRICT- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Shashank Shekhar, Advocate

For the Opposite Party/s : Mr Madhura Nand Jha, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

3 04-01-2023 Heard learned senior counsel for the petitioner and learned Additional Public Prosecutor (for brevity, **APP**) appearing for the State of Bihar.

The petitioner seeks bail in Hajipur Sadar Police Station (for brevity, PS) Case No 1035 of 2021 dated 23.11.2021 registered for the offence punishable under Sections 364A/34 of Indian Penal Code.

The petitioner is a friend of the **Mausa** of the victim. He was accompanying in the vehicle and, therefore, he has been made an accused in the instant case. He was arrested on 24.11.2021 and is stated to be on bail in the three cases pending against him, as per details contained in Paragraph 3 of the



petition.

Learned APP has opposed the prayer for bail. It is submitted that the victim was examined under Section 164 of Criminal Procedure Code wherein he has stated that he was taken in the vehicle by his Mause along with other persons including the petitioner.

Having considered the rival submissions, the fact that informant has filed a petition in the Court below that he would not be pursuing the case and produce evidence at the trial, as also the clean antecedent of the petitioner and the fact that the parties are relatives, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Vaishali at Hajipur in Hajipur Sadar PS Case No 1035 of 2021 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the



address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

M.E.H./-

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