

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22935 of 2023

Arising Out of PS. Case No.-33 Year-2021 Thana- UDAKISHUNGANJ District- Madhepura

GHANSHYAM @ GHANSHYAM PATEL son of Late Boku Patel Village-
Gopalpur Ps- Udakishunganj Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Singh, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 24-06-2023 Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of three weeks from today.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in connection
with Udakishunganj P.S. Case No. 33 of 2021 dated 30.01.2021
registered for the offences punishable under Sections 302, 120B
read with 34 of the Indian Penal Code and Section 27 of the
Arms Act.

As per prosecution case, the petitioner and the co-
accused persons took away the *bhabhi* of the informant and shot
her and during the course of treatment she died.



Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case on account of land dispute. The petitioner is accused in eight other criminal cases which are not related to murder and he is on bail in all the aforesaid cases as stated in para 3 of the bail petition. There is no eye witness to the occurrence and there is general and omnibus allegation against the petitioner. The other co-accused persons have already been granted bail by the Co-ordinate Bench *vide* order dated 11.05.2023 passed in Cr. Misc. No. 6961 of 2023.

Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Udakishunganj, Madhepura in connection with Udakishunganj P.S. Case No. 33 of 2021, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure, with further condition:-



1. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

The application stands allowed.

(Chandra Prakash Singh, J)

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