

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25222 of 2023

Arising Out of PS. Case No.-172 Year-2021 Thana- CHACKMEHSI District- Samastipur

GAURAV KUMAR SON OF NAVIN THAKUR VILLAGE- BASUARI, PS-
CHAKMEHSI, DISTT- SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh

For the Opposite Party/s : Mr.Tapeshwar Sharma

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 23-05-2023 Heard learned counsel for petitioner and learned
Additional Public Prosecutor.

Let the defect(s), if any, be removed within a period
of four weeks from today.

This application is filed for grant of regular bail in
connection with Chakmehsi P.S. Case No. 172 of 2021
registered under section 304(B) , 498(A), 201/34 of the Indian
Penal Code.

Paragraph 13 of the bail application is read as
follows:-

*That it will be relevant to state here that
on the alleged date and time of occurrence, the
petitioner was not present in the village rather he
was in Coimbatore, Tamil Nadu where he worked.
This fact has also been verified by the investigating
officer during the investigation and the tower
location of the mobile phone of the petitioner was
found in Coimbatore. This fact in itself a proof of the*



fact that the informant filed this case with entirely false allegations implication innocent persons.

In view of the statement of the bail application under fact that the petitioner is in custody since 04.01.2023. this application is allowed. Before releasing the petitioner on bail, the statement made in paragraph 13 shall be verified by the Court below from the case diary and if the statement in paragraph 13 is found to be corroborated by the statement in case diary, the bail bond of the petitioner shall be accepted.

Learned A.P.P. has vehemently opposed the prayer for bail.

Considering the period of custody, this application for regular bail is allowed.

Let the petitioner, above named, be released on bail **after framing of charge if the charge is not framed yet** on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Samastipur in connection with Chakmehsi P.S. Case No. 172 of 2021.

(Sandeep Kumar, J)

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