

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28552 of 2023

Arising Out of PS. Case No.-52 Year-2022 Thana- GOPALPUR District- Gopalganj

GOLDEN GOND @ GOLU KUMAR Son of Ramashish Gond @ Ramashish
Sah Resident of village - Tola Palat Narhawa, P.S. - Gopalpur, Distt. -
Gopalganj

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar,Advocate

For the Opposite Party/s : Mrs.Madhuri Lata,APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 21-07-2023 Heard learned counsel appearing for the petitioner
and the learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
20.02.2023 in connection with Gopalpur P.S. Case No. 52 of
2022, F.I.R. dated 03.03.2022 registered for the offence
punishable under Sections 323,327,109,306,302,34 of IPC.

3. Petitioner is said to have assaulted the son of the
informant by tying his hands and threatened him and due to
this annoyance, he committed suicide.

4. Learned counsel appearing for the petitioner
submits that the petitioner has clean antecedent and he has
falsely been implicated in the present case. Further submits
that it appears that initially a complaint case was filed before



the court of learned C.J.M., Gopalganj which was forwarded to the concerned police station under Section 156(3) of Cr.P.C. for instituting the FIR and the present FIR has been instituted on 03.03.2022. Further submits that from bare perusal of the FIR/complaint petition the date of occurrence as alleged in the complaint petition is 14.01.2022 but the so called complaint petition was filed on 16.02.2022. Further submits that the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR and the allegation as alleged in the FIR is not supported by medical evidence (postmortem) and the police, after investigation, submitted the chargesheet against the petitioner and the petitioner is in custody since 20.02.2023.

5. Learned APP for the State, on the other hand, has opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, let the petitioner, above named, 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 Judicial Magistrate, 1st Class, Gopalganj in connection with Gopalpur P.S. Case No. 52 of 2022, with the following conditions:-



(I) 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 cancelled by the Court below.

(II) 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.

(III) 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)

Nitesh/-

U		T	
---	--	---	--

