

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59783 of 2022

Arising Out of PS. Case No.-32 Year-2022 Thana- GURARU District- Gaya

CHANDRIKA PASWAN S/O LATE ATWAR PASWAN Resident of village-
Mirdadpur ,P.S.- Guraru ,District- Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Adv.

For the Opposite Party/s : Mr. Atul Chandra, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 26-04-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned Additional Public
Prosecutor for the State.

Petitioner seeks bail, who is in custody since
26.04.2022, in connection with Guraru P.S. Case No.32/2022,
F.I.R. dated 05.03.2022, for the offences punishable under
Sections 498(A) and 304(B) of the Indian Penal Code.

According to prosecution case, the petitioner along
with other co-accused persons are alleged to have committed
murder of the deceased due to non-fulfillment of the demand of
a motorcycle.

Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that the



allegation as alleged in the F.I.R. is false and fabricated and there is no specific allegation against the petitioner. He further submits that in fact the petitioner is father-in-law of the deceased and he is living separately and he has no concern at all with the family affairs of the deceased. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 26.04.2022.

Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, 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 Sri Y.K.Shukla, J.M.1st Class, Gaya, in connection with Guraru P.S. Case No. 32/2022, subject to the following conditions:-

1. 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. 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.

3. 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)

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