

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63150 of 2023

Arising Out of PS. Case No.-30 Year-2023 Thana- ALIPUR District- Gaya

Shambhu Bind S/o- Lal Mohan Bind Village- Jhikatia PS- Bandeya Dist-
Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mrs. Nivedita Nirvikar, Sr. Adv. Mr. Arya Achint, Adv.
For the Opposite Party/s	:	Mr. Akhileshwar Dayal, APP

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

ORAL ORDER

2 06-10-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Alipur PS Case No. 30 of 2023 dated 06.03.2023 registered for the offence punishable under Sections 302, 201 and 120B of the Indian Penal Code and Section 27 of the Arms Act.

3. The petitioner along with another co-accused person is said to have shot a pregnant lady, namely, Pachiya Devi dead.

4. Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in this case. He has not named in the FIR. His name has surfaced on the



confessional statement of the co-accused Akhila Bind. Barring the confessional statement, there is nothing against the petitioner, which suggests his complicity in the present crime. The petitioner is in custody since 11.03.2023 and he has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, the period of custody and the fact that the name of the petitioner has surfaced on the confessional statement, the petitioner above named is directed to be released on bail on his furnishing bail bond of Rs 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Gaya in connection with Alipur P.S. Case No. 30 of 2023 with the condition that:

(i) 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 bonds of the petitioner are liable to be cancelled.

(ii) If the petitioner is found involved in similar nature of offence in future, the prosecution will



have liberty to move for cancellation of his bail
bonds.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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