

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66551 of 2022**

Arising Out of PS. Case No.-97 Year-2022 Thana- LAUKAHA District- Madhubani

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KRISHNA GOAIT @ KRISHAN NARAYAN GOAIT @ KRISHNA GOIT
@ KRISHNA NAND GOIT Son of Late Sital Goait @ Tilak Goait Resident
of Village - Parsahi, P.S.- Khutauna, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hriday Narayan Harshit, Adv.

For the Opposite Party/s : Mr. Zainul Abedin, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 28-04-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Laukaha P.S. Case No. 97 of 2022 dated 20.04.2022
corresponding to G.R. No. 643 of 2022/S.T. No. 366 of
2022(C.C.) registered for the offence under Sections 302 and
34 of the Indian Penal Code.

The petitioner along with others are alleged to
have committed murder of the son of the informant.

Learned counsel appearing for the petitioner
submits that the petitioner is innocent and has falsely been
implicated in this case. He further submits that the
informant is not the eye witness to the alleged occurrence



and merely on the basis of suspicion, the petitioner has falsely been implicated in this case. He further submits that except the confessional statement of the co-accused person and the self confession of the petitioner before the police, no cogent material has surfaced against the petitioner to suggest his involvement in the alleged occurrence. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 22.06.2022.

Learned A.P.P. for the State on the basis of material available on record and the case diary opposed the prayer for bail of the petitioner and the submits that the petitioner carries two more cases other than the present one.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 Additional District and Sessions Judge-III, Jhanjharpur, Madhubani in connection with Laukaha P.S. Case No. 97 of 2022 corresponding to G.R. No. 643 of 2022/ S.T. No. 366 of 2022 (C.C.) with 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled 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.

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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