

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.228 of 2025

Arising Out of PS. Case No.-35 Year-2023 Thana- AUANGARI District- Nalanda

Gyan Prakash @ Munna S/O Sarvesh Prasad R/O Village - Aungari, P.S-
Aungari, Dist.- Nalanda (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 13-05-2025 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with Aungari P.S. Case No. 35 of 2023 registered for the offences under Sections 302, 201 and 120(B) of the Indian Penal Code.

3. The prosecution story in brief is that on 13.03.2023 at 4 P.M., the minor daughter of the informant went to the shop and did not return. Later it was informed by someone on her mobile that the body of a girl was hidden in the barely field west of village Aungari. On receiving the information, the informant went to the spot with his mother-in-law and other relatives and saw that her daughter's neck was tied with a blue 'dupatta' and



she was dead. The informant was completely convinced that her daughter was murdered by the named accused.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case only on suspicion and there is no eye witness to the occurrence. It is further submitted that the petitioner was not named in the FIR. His name has surfaced in the confessional statement of the co-accused Jitendra Kumar. It is lastly submitted that the petitioner has no criminal antecedent and he is languishing in custody since 07.09.2024.

5. Learned counsel for the State has opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the fact that the petitioner is not named in the FIR, his name has surfaced in the confessional statement of co-accused Jitendra Kumar and he is in custody since 07.09.2024, let the petitioner above-named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction



of the learned A.C.J.M, Hila Nalanda in connection with
Aungari P.S. Case No. 35 of 2023 subject to the conditions
that

- a. One of the bailors of the petitioner shall be her close relative.
- b. The petitioner shall remain physically present in Court on each date of the trial.
- c. In case of absence on two consecutive dates, or in violation of the terms of the bail and if the prosecution is found involvement of the petitioner in similar nature of offence, the bail bond of the petitioner will be liable to be canceled by the Court concerned.
- d. 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.

(Sourendra Pandey, J)

Prakash/-

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