

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14529 of 2015

Arising Out of PS.Case No. -19 Year- 2014 Thana -BARAHIYA District- LAKHISARAI

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1. Bandhan Kumar @ Kismat S/o Anil Ram R/o village - Gangasarai, P.S. Barhiya, District - Lakhisarai

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Shree Nivas Madhuvan

For the Opposite Party : Mr. M.Dayal(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 20-05-2015

Petitioner is languishing in custody since

11.07.2014 in a case registered for the offences punishable under Sections 396/412 of the Indian Penal Code.

The prosecution case is that informant's brother Subodh Ram was earlier driver of the truck of co-accused Sonu Singh. Thereafter he purchased his own truck and this fact enraged Sonu Singh. The informant suspected that Sonu Singh might have killed the brother of the informant and the cleaner of the truck namely Mangal Kumar. The First Information Report was registered only against Sonu Singh. The name of the petitioner sprang up during investigation when he made confession in Barahiya P.S. Case No. 81 of 2014 registered under Sections 399/402 of the Indian Penal Code and Section 25(1-B)a, 26, 35 of the Arms Act. The name of the petitioner also sprang up in confession of the co-accused.

It is submitted by learned counsel for the

petitioner that except confession before the police, no tangible evidence has been collected by the investigating agency during investigation and co-accused Rahul Kumar and Pintu Kumar have been granted bail vide Cr. Misc. Nos. 41419 of 2014 and 49931 of 2014.

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 Chief Judicial Magistrate, Lakhisarai in connection with Barahiya P.S. Case No. 19 of 2014.

Since the petitioner is accused in three other cases, let learned Court below cancel the bail bonds of the petitioner, if the petitioner gets substantially involved in serious nature of offence or defaults for three consecutive occasions during trial.

(Dinesh Kumar Singh, J)

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