IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44100 of 2014

Arising Out of PS.Case No. -165 Year- 2013 Thana -RAMNAGAR District- WESTCHAMPARAN(BETTIAH)

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1. Jagdish Bhar @ Lambu Son of Shankar Bhar, Resident of Village - Sonbhar, Police Station - Ram Nagar, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar ……..... .... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Milind Kumar Mishra
For the Opposite Party/s : Mr. Raj Kishore Singh(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 16-02-2015 Heard learned counsel for the petitioner and learned counsel representing the State.

Petitioner seeks bail in connection with Ram Nagar P.S. Case No. 165 of 2013 registered for the offences punishable under Sections 302, 201/34 of the Indian Penal Code.

The dead bodies of two persons were found in a decomposed condition and no one identified them, accordingly, the case was registered against unknown. During investigation confessional statement of co-accused Chunnu Ram was recorded and he confessing his guilt has disclosed the name of the petitioner regarding his complicity in the crime and accordingly, he has been remanded in this case on 15.2.2014 and since then he is in custody.

Submission is that the petitioner is in custody without any legal and cogent evidence. It has only come in the

statement of witnesses that the petitioner was seen along with Chunnu Ram and others.

Learned APP submits that during investigation the dead bodies were identified to be of Yogendra Manjhi and Lalaji Manjhi and the petitioner was found moving in the locality.

In the facts and circumstances stated above and considering the fact that in this case chargesheet has already been submitted and there is no chance of tempering with the prosecution evidence, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Bagaha, West Champaran in connection with Ram Nagar P.S. Case No. 165 of 2013, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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