

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23394 of 2015

Arising Out of PS.Case No. -7 Year- 2015 Thana -SAHJAHANPUR District- PATNA

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1. Rajesh Kumar S/o Rajendra Prasad@Rajendra Rai R/v - Chitrakut Nagar,
Nashariganj, P.s Danapur, Distt- Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha

For the Opposite Party/s : Mr. Md. A.Haque Sahara (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

3 08-10-2015 Heard the learned counsel for the petitioner as well as

the learned A.P.P.

The petitioner seeks bail in a case for the offences
punishable under sections 306, 309, 328 and 120 B of the I.P.C

Nakul Kumar, his wife Puja Devi, daughter Kajal
Kumari, Chandni Kumari and son Anmol Kumar committed
suicide and in the pocket of Nakul Kumar, the brother of the
informant there was a diary wherein responsibility has been
assigned to the petitioner and also on another Rajesh who is
brother of Niraj.

During investigation the petitioner has made
confessional statement also.

Submission is of false implication and that the



petitioner never pressurized the deceased Nakul Kumar or any of his family members and merely on suspicion he has been implicated, address of the petitioner given in the F.I.R. is not correct. There are two seizure list in this case which falsified the prosecution allegation. The petitioner is suffering in custody since 04.02.2015 without any legal and cogent material. Charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The learned A.P.P. opposes prayer for bail.

In the facts and circumstances as stated above, considering that against the petitioner charge sheet has already been submitted under sections 306, 309, 328 and 120B/34 of the I.P.C, whereas, investigation has been kept pending against others and as such there is no chance of tampering with the prosecution evidence and accordingly the petitioner is directed to 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 Sri D.K. Mishra, J.M 1st Class, Patnacity, Patna in Sahjahanpur P.S. Case No. 07 of 2015, G.R. No. 343 of 2015, 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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