

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45549 of 2014

Arising Out of PS.Case No. -136 Year- 2014 Thana -KUDRA District-
BHABHUA (KAIMUR)

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Mohammad Aslam @ Munna @ Naseem Son of Md. Kalamuddin Sheikh,
Resident of Village - Sahi Saray Fakharabad, P.S.-Kudra, Dist.-Kaimur
(Bhabhua)

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ramchandra Singh, Adv.

For the Opposite Party/s : Mr. Iftekhar Mahmood, APP

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CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

3 10-03-2015 Heard learned counsel for the petitioner, learned A.P.P.
for the State and learned counsel for the informant.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 364(A)/302/201 of IPC.

FIR has been lodged against unknown for
disappearance of Nitesh Kumar aged about 17 years, nephew of
the informant. During investigation, the name of the petitioner has
appeared in the second confessional statement of co-accused
Abinash Kumar @ Golu.

It is submitted that during investigation Abinash
Kumar made his first confessional statement before the police on
1.8.2014 in which he named other accused not the petitioner. His

extra judicial confession was recorded on 12.8.2014 in which he has named the petitioner and two others. Call detail has also been searched by the police during investigation but there is no connection with the petitioner.

It is further submitted that the petitioner was arrested on 13.8.2014 but no T. I. Parade has been held and no one has identified the petitioner. The petitioner has a criminal antecedent in which he is on bail.

Submission of other side is that Jamun Singh has made statement before the Police in paragraph 273 of the case diary that the deceased was also seen with the accused and one Chikwala. The petitioner is Chikwala and he has also made confession before the police in which he has stated that he used to sell meat. The petitioner has also criminal antecedent.

Considering the facts and circumstances, the above named petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Kaimur (Bhabhua)/ court concerned in Kudra P. S. Case No. 136 of 2014, G. R. No. 1380 **after framing of charge** with following conditions:-

1. The petitioner will not indulge himself in similar or any

other offence.

- 2. One of the bailors must be the close relative of the petitioner.
- 3. The petitioner will be well represented in the Court on each and every date and in case of absence for two consecutive dates or in case of violation of terms of bail, his bail bond would be liable to be cancelled by the learned Court concerned.

(Amaresh Kumar Lal, J)

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