

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.956 of 2016**

Arising Out of PS.Case No. -226 Year- 2015 Thana -SAKRA District- MUZAFFARPUR

=====

1. Pankaj Kumar Son of Kameshwar Singh Resident of Village- Kothiya Naraw(Madanpur), P.s Awatar Nagar, District Chapra.... .... Petitioner

Versus

1. The State of Bihar .... .... Opposite Party

=====

**Appearance :**

For the Petitioner/s : Mr. Shashi Shekhar Sharma

For the Opposite Party/s : Mr. Sharda Kumari (App)

=====

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA**  
**ORAL ORDER**

3 11-03-2016

Heard learned counsel for the petitioner and learned

counsel representing the State.

The petitioner seeks bail in connection with Sakra P.S.

Case No. 226 of 2015 registered for the offences punishable under

Sections 363, 365/34 of the Indian Penal Code.

The petitioner is not named in the first information report and during investigation it transpires that the petitioner was having illicit relationship with Nidhi Kumari and Nidhi Kumari and the petitioner pushed Mithilesh Rai the husband of the informant from running train.

Submission is of false implication and that the petitioner was arrested only on suspicion that he was having illicit relationship with Nidhi Kumari and Nidhi Kumari was also having illicit relationship with the deceased and thereafter, confessional statement of Nidhi Kumari has got been recorded and on that basis

the petitioner is suffering in custody having no criminal antecedent, there is no legal and cogent material against the petitioner, the confessional statement has got no legal value in the eye of law.

Learned APP duly assisted by learned counsel for the petitioner opposes the prayer of bail.

In the facts and circumstances stated above, considering that dead body has not been recovered, besides confessional statement there is no material against the petitioner and as such 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 Chief Judicial Magistrate, Muzaffarpur in connection with Sakra P.S. Case No. 226 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)

avin/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|