

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4368 of 2016

Arising Out of PS.Case No. -867 Year- 2012 Thana -BETTIAH TOWN District-
WESTCHAMPARAN(BETTIAH)

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1. Rajendra Patel Son of Late Baulal Patel Resident of village - Maguraha,
Police Station - Lauriya, District - West Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7

For the Opposite Party/s : Mr. M.Haque(App)

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

3 06-04-2016 Heard the learned counsel for the petitioner as well as

the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences
punishable under sections 328, 302 and 34 of the I.P.C

The First Information Report is against unknown with
the allegation that the dead body of Shambhu Sah was found in the
drain near the clinic of Dr. Shushil Kumar Chaudhary. During
investigation the name of the petitioner transpires in the
confessional statement of co-accused Md. Meraj.

Submission is of false implication, without any legal
and tangible material the petitioner is suffering in custody since
06.08.2015, nothing has been recovered from possession of the

petitioner and in this case co-accused Md. Meraj and Birjun Chaudhary have already been allowed bail by another coordinate Benches of this Court and as such the petitioner also deserves sympathetic consideration, to which the learned A.P.P. is not in a position to distinguish the case of the petitioner from those co-accused.

In the facts and circumstances as stated above, the petitioner is also 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 C.J.M. Bettiah, West Champaran in Bettiah Town P.S. Case No. 867 of 2012, 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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