

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6115 of 2016

Arising Out of PS.Case No. -314 Year- 2015 Thana -NAUTAN District-
WESTCHAMPARAN(BETTIAH)

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Deepak Ram S/o Late Indradeo Ram R/o vill. - Harijan Toli (Chhawani),
P.S. Manuapul, District - West Champaran

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Binod Kumar (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 302, 201 and 120B/34 of the Indian
Penal Code.

Allegedly, Rahul Ram, the son of the informant went
with the petitioner and co-accused, earlier the petitioner had shot
Rahul Ram in his hand and was causing threat always to shoot him
and then the petitioner after taking away him along with his
associate killed him and further the scarf of the petitioner was on
the person of the deceased which was of Baba Dham.

Submission is of false implication and that the



prosecution story appears not probable and reliable as stated from earlier there was enmity so it is believable that the son of the informant will go with the petitioner, no one has seen the petitioner committing the crime or in the company of the deceased, the scarf of Baba Dham is kept by so many person and so on that ground the involvement of the petitioner cannot be found true, during investigation, no legal and tangible material has come and as such the petitioner deserves sympathetic consideration as he voluntarily surrendered on 8.10.2015 and thereafter, the police has got recorded his confessional statement which has go no evidentiary value in the eye of law. The deceased was himself a veteran criminal and might have been killed by someone else.

The learned A.P.P. opposes the prayer of bail by submitting that the petitioner is named in the first information report.

In the facts and circumstances stated above, considering that the charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence 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 A.C.J.M.-VI, Bettiah, West Champaran in connection with Nautan P.S. Case No.314 of 2015, subject to the conditions that one of the bailors must be 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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