

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4227 of 2016

Arising Out of PS.Case No. -185 Year- 2015 Thana -SONO District- JAMUI

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1. Prabhakar Burnwal Son of late Pradee Burnwal Resident of Village-
Lokhanjkijori, P.s Sono , District Jamui

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar

For the Opposite Party/s : Mr. P.K.Jha (App)

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

4 01-04-2016 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 and 201 of the I.P.C

Allegedly, Pradeep Kumar Burnwal, the father of the
informant Diwakar Prasad Burnwal went out of the house and
thereafter his dead body was found and it reveals that he was
strangled to death by the rope of rubber. In the First
Information Report two persons have been named as the suspects
but during investigation it transpires that the petitioner and
Ansdhar Burnwal being the sons of the deceased committed the
crime and they have confessed their guilt.

Submission is of false implication and that besides



suspicion there is nothing against the petitioner, the witnesses have only suspected that Ansdhar Burnwal killed his father and the petitioner helped in hiding the dead body, besides that there is no other cogent and reliable material, the alleged confessional statement has got no evidentiary value in the eye of law and as such the petitioner deserves sympathetic consideration as charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence. It is also submitted that the witnesses Rajesh Paswan and Munshi Mandal have stated that Pradeep Burnwal was under depression and he used to claim that he will commit suicide.

In the facts and circumstances as stated above, considering that charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence and as such 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 A.C.J.M. Jamui in Sono P.S. Case No. 185 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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