

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12685 of 2016

Arising Out of PS.Case No. -346 Year- 2014 Thana -NAUBATPUR District- PATNA

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Pappu Kumar Son of Sri Surendra Yadav R/v-Abgilla, P.O.-Naubatpur,
P.S.-Naubatpur, Distt.-Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Jitendra Kr.Roy 1(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 05-05-2016 Heard the learned counsel for the petitioner as well as the

learned A.P.P. for the State.

The petitioner seeks bail in connection with Naubatpur
P.S. Case no. 346/2014 registered for the offences punishable under
Sections 302 and 34 of the Indian Penal Code.

Allegedly, the petitioner having illicit relationship with
Anita Devi the wife of the deceased being in collusion and
conspiracy with other co-accused killed Chandan Kumar @ Dipu
and hanged in the room.

Submission is of false implication and that the petitioner
has got no concern with the family affairs of the deceased and his
wife, earlier no any complaint was filed in this regard, during
investigation witnesses Sunni Devi, Kiran Devi, Madhu Devi,
Sandhya Devi, Ujjwal Kumar, Ram Naresh Sharma vide para 12 to
17 and further witnesses Dharmendra Singh and Khaja Lal Prasad

vide para 18-19 have stated that the deceased committed suicide due to financial crisis, the petitioner is suffering in custody since 30.09.2015 having no criminal antecedent. Charge-sheet has already been submitted and there is no chance of tampering with the prosecution witness.

The learned A.P.P. opposes prayer of bail by submitting that postmortem report is otherwise.

In the facts and circumstances as stated above, considering the statement of independent witnesses and further that charge-sheet has already been submitted and there is no chance of tampering with prosecution evidence, 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 Judicial Magistrate Ist Class, Danapur in connection with Naubatpur P.S. Case no. 346/2014 subject to the conditions that one of the bailors must be a near relating 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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