

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18383 of 2016

Arising Out of PS.Case No. -270 Year- 2015 Thana -KHAGARIA District- KHAGARIA

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Mallu Paswan @ Raman Paswan Son of Sikandar Paswan, resident of
Village- Hardash Chak, P.S.- Khagaria, (Muffasil), District- Khagaria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bishweshwar Ram, Advocate

For the Opposite Party/s : Mr. Arun Kumar Singh No.-5 , APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 28-06-2016 Heard the learned counsel for the petitioner and the

learned A.P.P. representing the State.

The petitioner seeks bail in connection with
Khagaria (Muffasil) P.S. Case No. 270 of 2015 registered for
the offence punishable under Section 302 of the Indian Penal
Code.

Allegedly, Kavita Devi, the mother of the
informant, was found lying dead having injuries on her neck,
mouth, temple and head in a ditch and her mobile and sleepers
were also there.

Submission is of false implication and that the
petitioner is not named in the F.I.R., he has got no criminal

antecedent, the police has got recorded his confessional statement forcibly, he is suffering in custody since 26.02.2016 and the other co-accused Rajo Sah and Hemant Sah have already been allowed bail vide Criminal Miscellaneous No. 24113 of 2016 by another co-ordinate Bench of this Court.

The learned A.P.P. submits that during investigation, it has come that the petitioner has gone behind the deceased to attend the call of nature vide paras 10 and 20 of the case diary.

In the facts and circumstances stated above, considering that charge-sheet has already been submitted and there is no chance of tampering with the prosecution evidence, other co-accused have already been allowed bail and, as such, the petitioner, above named, is also 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, Khagaria, in connection with Khagaria (Muffasil) P.S. Case No. 270 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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