

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18092 of 2016

Arising Out of PS.Case No. -215 Year- 2015 Thana -KHARAGPUR District- MUNGER

1. Prince Kumar Paswan Son of Prakash Paswan resident of village -
Mandir Tola, Dariyarpur, P.S. Haveli Kharagpur, District - Munger

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tarkeshwar Pd. Verma, Advocate

For the Opposite Party/s : Mr. Ahmad Ali(App)

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

3 28-06-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Haveli
Kharagpur (Sampur) P.S. Case No. 215 of 2015 registered for the
offences punishable under Sections 302/34 of the Indian Penal
Code and Section 27 of the Arms Act.

Allegedly, Bumbum Mandal, the son of the informant
who was released from jail custody some days ago, became
traceless since the evening of 27.08.2015 and in the morning of
28.08.2015 his dead body was found lying near the bank of canal.
During investigation, the name of the petitioner and other co-
accused transpired and further the petitioner confessed his guilt.

Submission is of false implication and that there is no



eye witness of the occurrence, the witnesses vide para 33, 34, 35 and 36 have only raised suspicion as they are not the eye witnesses and they have simply stated that earlier the deceased, the petitioner and others have committed theft in the house of Surendra Pandey and for distribution of theft articles, there was dispute and for that the petitioner and others have killed Bambam Mandal, the police after adopting third degree method has got recorded the confessional statement of petitioner and without any fault, he is suffering in custody since 06.11.2015.

The learned A.P.P. submits that the petitioner has confessed his guilt.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence and also there is no eye witness of the occurrence 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 the learned S.D.J.M., Munger in connection with Haveli Kharagpur (Sampur) P.S. Case No. 215 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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