

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45686 of 2015

Arising Out of PS.Case No. -60 Year- 2015 Thana -NALANDA District- NALANDA
(BIHARSHARIFF)

1. Dev Narayan Prasad Son of Dinesh Prasad resident of village - Nirpur,
Police Station - Nalanda, District - Nalanda

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.43863 of 2015

Arising Out of PS.Case No. -60 Year- 2015 Thana -NALANDA District- NALANDA
(BIHARSHARIFF)

1. Sita Ram Prasad Son of Late Sukhdeo Prasad Resident of village /
Mohalla - Nirpur, P.S. Nalanda, District - Nalanda

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.42404 of 2015

Arising Out of PS.Case No. -60 Year- 2015 Thana -NALANDA District- NALANDA
(BIHARSHARIFF)

1. Santosh Kumar son of late Batoran Singh, resident of village- Pachwara,
P.S. Nalanda, District Nalanda

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.45686 of 2015)

For the Petitioner/s : Mr. Rajendra Prasad, Sr. Advocate
Mr. Anil Kumar Singh

For the Opposite Party/s : Mr. Yogendra Kumar(App)

(In Cr.Misc. No.43863 of 2015)

For the Petitioner/s : Mr. Pramod Kumar

For the Opposite Party/s : Mr. Manoj Kumar (App)

(In Cr.Misc. No.42404 of 2015)

For the Petitioner/s : Mr. Ravi Ranjan
Mr. Ritesh Kumar Singh
For the Opposite Party/s : Mr. Anusuiya Jaiswal(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 07-01-2016

Above noted three applications have arisen out of one occurrence i.e. Nalanda P.S. Case No. 60 of 2015 registered for the offences punishable under Sections 147, 341, 323, 307, 435, 436, 506 of the Indian Penal Code in which Section 302 IPC was added later on, as such they have been heard together and are being disposed of by this common order.

Allegedly, the husband of the informant running a DPS Public School at village Nirpur was assaulted by kick, fist and lathi by FIR named four accused persons and 500 unknown resulting the husband of the informant died and further the miscreants destroyed the school and damaged the vehicle also.

Submission is of false implication and that the petitioners have got no criminal antecedent, they have been made victim of circumstances, the Police after adopting 3rd degree method have recorded confessional statement of petitioner Santosh Kumar which got no evidentiary value in the eye of law, in this case similarly situated co-accused Ajay Kumar has been allowed bail vide order dated 08.10.2015 passed in Cr. Misc. No. 38674 of 2015 by another co-ordinate Bench of this Court and the

petitioners are suffering in custody since 01.07.2015, chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence.

Learned APP fairly submits that against the petitioners there is no specific allegation.

In the facts and circumstances stated above, the petitioners above named of all the three cases aforesaid are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Nalanda at Biharsharif in connection with Nalanda P.S. Case No. 60 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 petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

avin/-

(Jitendra Mohan Sharma, J)

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