

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55876 of 2015

Arising Out of PS.Case No. -6 Year- 2015 Thana -SURYAGARHA District- LAKHISARAI

1. Arjun Mandal @ Arjun Mahto, Son of Late Basudeo Mandal @ Basho Mandal, Resident of Village- Ram Nagar, P.S- Suryagarha, District- Lakhisarai..... Petitioner

Versus

1. The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

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

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 27-01-2016

Heard learned counsel for the petitioner and learned counsel representing the State.

The petitioner seeks bail in connection with Suryagarha P.S. Case No. 06 of 2015 registered for the offences punishable under Sections 364, 302, 201, 120B/34 of the Indian Penal Code.

Ramashish Sao, the husband of the informant, was kidnapped by unknown miscreants with push cart and during investigation it transpires that the petitioner and his family members have killed Ramashish Sao.

Submission is of false implication, besides suspicion there is nothing against the petitioner, there is no eye witness of the occurrence, the dead body of Ramashsish Sao was recovered on the side of railway line west to Karauta Patner Railway Halt,

the petitioner is an old man aged about 70 years and is suffering in custody since 26.03.2015. Paragraph 67 A and 67 are the statements of Chanchala Devi and Baby Devi in which they have stated the name of the petitioner and others only on suspicion not as eye witnesses and as such the petitioner deserves sympathetic consideration.

Learned APP opposes the prayer of bail but fairly submits that there is no direct evidence.

In the facts and circumstances stated above, 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 Chief Judicial Magistrate, Lakhisarai in connection with Suryagarha P.S. Case No. 06 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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