

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55808 of 2015

Arising Out of PS.Case No. -112 Year- 2015 Thana -ALAMNAGAR District- MADHEPURA

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1. Babloo Mehta son of Shobhakat Mehta, resident of Village Bhagipur,
Ward No.7, Alamnagar, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh

For the Opposite Party/s : Mr. Md.Fahimuddin(App)

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

4 17-02-2016

Heard the learned counsel for the petitioner as well as

the learned A.P.P for the State.

The petitioner seeks bail in a case for the offence
punishable under section 302 of the I.P.C

Allegedly, Kasrun Khatoon, aged ten years, had gone
for grazing the she-goat to Joranti Bahiyar on 01.08.2015 but she
did not return and her dead body was found in Joranti Bahiyar.
The petitioner is not named in the First Information Report but
later on the informant in his re-statement on 02.08.2015 stated the
name of the petitioner and his mother, suspecting their hands in
the crime and similarly other witnesses have also stated. The
petitioner further confessed his guilt.

Submission is of false implication and that the
informant has not named the petitioner in his fardbeyan and
further statement but later on implicated the petitioner and his

mother only due to earlier dispute, in the entire investigation no cogent and legal material has come, the petitioner has not confessed his guilt and the police has wrongly recorded the statement of the petitioner, the mother of the petitioner has already been allowed pre-arrest bail vide Cr. Misc. No. 49393 of 2015 by another coordinate Bench of this Court and as such the petitioner who is suffering in custody since 08.08.2015, having no criminal antecedent, deserves sympathetic consideration.

The learned A.P.P. fairly submits that there is no eye witness of the occurrence.

In the facts and circumstances as stated above, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of S.D.J.M. Uda Kishunganj, District- Madhepura in Alam Nagar P.S. Case No. 112 of 2015/ G.R. No. 586 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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