

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37751 of 2016

Arising Out of PS.Case No. -207 Year- 2015 Thana -DULHIN BAZAR District- PATNA

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Jitendra Kumar @ Lola Kahar S/o Rajendra Ram Resident of village -
Dharampur Kharwa (Warichak), P.S. Dulhin Bazar, District Patna

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Satyendra Narayan Singh

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 11-11-2016 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case, initially, registered for
the offences punishable under Sections 364/34 of the Indian Penal
Code and subsequently, Sections 302, 201 of the Indian Penal
Code were added.

It would appear from perusal of the first information
report as well as materials available on the case diary that
deceased was driver of Hywa dumper and on 18.12.2015 his
vehicle met an accident in which one person died. It would further
appear that after the accident, the villagers got agitated and set the
vehicle of the deceased on fire and thereafter deceased was
mercilessly beaten as a result whereof he died. The villagers

including petitioner after death of the deceased took the dead body of the deceased in the house of co-accused, Madan Prasad where dead body was buried in the kitchen of aforesaid Madan Prasad.

Petitioner was arrested in course of investigation and made his confessional statement. Subsequently, Madan Prasad was too arrested but he disclosed that dead body of deceased was exhumed from his house and subsequently, thrown in a well from where dead body was recovered. Co-accused, Madan Prasad @ Madan Yadav has already been granted privilege of bail and the case of petitioner appears to be on better footing to that of co-accused, Madan Prasad @ Madan Yadav.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri Shyamal Kumar, Judicial Magistrate 1st Class, Danapur, Patna in connection with Dulhin Bazar P.S. Case No. 207 of 2015.

(Hemant Kumar Srivastava, J)

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