

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50786 of 2016

Arising Out of PS.Case No. -113 Year- 2015 Thana -MARANCHI District- PATNA

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Prahalad Kumar Son of Dinesh Kewat Resident of Village- Neema Pandey,
P.S. Halsi, District Lakhisaraya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Advocate

For the Opposite Party/s : Mr. Rajesh Kumar, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 25-11-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
16.05.2016 in connection with Sessions Trial No. 673 of 2016
arising out of Maranchi P.S. Case No. 113 of 2015 registered
for the offence punishable under Sections 302/34 of the Indian
Penal Code and under Section 27 of the Arms Act.

The prosecution case is that one Dinesh Kewat
opened fire on the deceased and three other accused persons
have been named in the First Information Report.

It has been submitted by the learned counsel for
the petitioner that petitioner is innocent and has been falsely
implicated in the aforesaid case. He submits that charge-sheet

has already been submitted against the petitioner, hence, there is no chance of tampering with the evidence. He further submits that two of the co-accused persons have since been granted the privilege of bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 27660 of 2016 on 17.09.2016.

However, learned A.P.P. for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

From the material on record, it does not reveal that the petitioner's liberty on bail would adversely affect his trial, hence, in the interest of justice, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-IIInd, Barh (Patna) in connection with Sessions Trial No. 673 of 2016 arising out of Maranchi P.S. Case No. 113 of 2015.

This direction for bail is subject to further condition that petitioner shall not directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the



evidence and shall appear in the learned Court below, as and when he is directed.

With these observations and directions, this application stands allowed.

(Nilu Agrawal, J.)

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