

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11727 of 2016

Arising Out of PS.Case No. -193 Year- 2015 Thana -BIHARIGANJ District- MADHEPURA

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1. Bucho Rishideo S/o Gulo Rishideo Resident of Village- Bihariganj, Ward No.1, Police Station- Bihariganj, District- Madhepura..... Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh

For the Opposite Party/s : Mr. Anuradha Singh (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 29-04-2016 Heard learned counsel for the petitioner and learned APP
for the Sate.

The petitioner seeks bail in connection with Biharignaj
P.S. Case No. 193 of 2015 registered for the offence punishable
under Sections 302/34 of the Indian Penal Code.

The petitioner is not named in the first information
report wherein it is alleged that due to previous enmity Binod
Mukhiya and his 2-3 associates have killed Abhinandan Bishwas
the husband of the of the informant and threw the dead body in the
paddy field. During investigation FIR named accused Vinod
Mukhiya was apprehended and he stated the name of the petitioner
and others and accordingly, co-accused Rajesh Mukhiya was
apprehended and he also confessing his guilt stated the name of
the petitioner.

Submission is of false implication and that besides the

confessional statement of co-accused there is nothing against the petitioner, no one has seen killing the petitioner and without any legal and tangible material the petitioner is suffering in custody since 14.10.2015 having no criminal antecedent.

Learned APP fairly submits that the name of the petitioner has come in the confessional statement of two co-accused.

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 Sri Pradeep Kumar Choudhary, J. M. Ist class, Uda-Kishunganj, Madhepura in connection with Bihariganj P.S. Case No. 193 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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