

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22459 of 2016

Arising Out of PS.Case No. -259 Year- 2015 Thana -PHULPARAS District- MADHUBANI

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Bikaram Das S/o Sri Sone Lal Das, Resident of village- Nirmali, P.S.-
Nirmali, District- Supaul

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13

For the Opposite Party/s : Mr. Ashok Kr.Singh 1(App)

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

2 24-05-2016 Heard the learned counsel for the petitioner as well

as the learned A.P.P for the State.

The petitioner seeks bail in connection with
Phulparas P.S. Case No. 259 of 2015 (G.R. No. 1565 of 2015)
registered for the offences punishable under Sections 302, 120B,
201 and 379 of the Indian Penal Code.

Allegedly, Arjun Kuamr Kamat, the son of the
informant has given loan to FIR named accused Ramesh Paswan
amount of Rs. 2,50,000/- and for that amount, the son of the
informant used to make demand from Ramesh Paswan and on
12.09.2015, the son of the informant went by bicycle to Nirmali
Bazar but thereafter he did not return and his dead body was
found. During investigation, the wife of the deceased and some

other witnesses have stated the name of the petitioner also that he and others have also taken money from the deceased and to grab the amount, they all have killed the deceased.

Submission is of false implication and that there is no eye witness of the occurrence, besides suspicion, there is nothing against the petitioner, the petitioner has got no criminal antecedent and without any legal and tangible material, he is suffering in custody since 18.12.2015, whereas FIR named accused Ramesh Pawan has already been allowed pre-arrest bail vide Criminal Misc. No. 13498 of 2016 by another co-ordinate bench of this Court and further Lalit Kumar Sah has also been allowed bail vide Criminal Misc. No. 9339 of 2016.

The learned A.P.P submits that chargesheet has already been submitted after finding the case true.

In the facts and circumstances stated above, the petitioner, above named, is also 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 Additional Chief Judicial Magistrate, Jhanjharpur in connection with Phulparas P.S. Case No. 259 of 2015 (G.R. No. 1565 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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