

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58292 of 2015

Arising Out of PS.Case No. -111 Year- 2014 Thana -DHANARUA District- PATNA

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1. Nagendra Prasad Son of Dwarika Yadav R/o Village-Chauk Johara, P.S.-
Dhanarua, District-Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Sinha

For the Opposite Party/s : Mr. Madhuranand Jha(App)

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

3 24-02-2016

Heard learned counsel for the petitioner and learned

A.P.P. representing the State.

The petitioner seeks bail in connection with
Dhanarua P.S. Case No. 111 of 2014 registered for the offences
punishable under Sections 302/201 of the Indian Penal Code.

Allegedly, dead body of Kumar Saurav was
recovered from a well situated at Sonbai Khaudha under Dhanarua
P.S. and the informant, the father of Kumar Saurav, gave his
fardbeyan wherein it was stated that Kumar Saurav was having
contact with one girl namely Megha Mala, during investigation on
the basis of tower location of call details it was found that Kumar
Saurav was having love affair with Sundari Kumari, and her father
Mahendra Prasad confessed his guilt stating the name of the
petitioner also.

Submission is of false implication and that there is no

eye witness of the occurrence, only on the basis of confession of co-accused the petitioner has been implicated, nothing has been recovered from possession of the petitioner and without any legal and cogent material he is suffering in custody since 24.9.2015 having no criminal antecedent.

Learned A.P.P. opposes the prayer by submitting that the accused persons have killed Kumar Saurav who has love affair with Sundari Devi and further killed Sundari Devi also.

In the facts and circumstances stated above, considering that there is no direct evidence against the petitioner, charge-sheet has already been submitted and there is no chance of tampering with prosecution evidence and as such the petitioner 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 the Learned Additional Sessions Judge IXth, Patna, in connection with Dhanarua P.S. Case No. 111 of 2014, subject to the conditions that one of the bailors must be 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)

siddharth/-

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