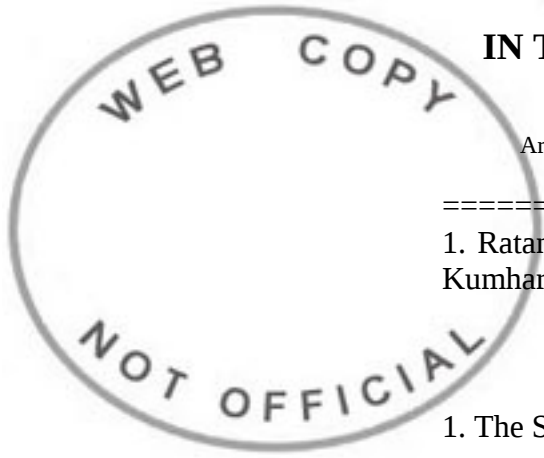




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16349 of 2015

Arising Out of PS.Case No. -234 Year- 2013 Thana -MOHIUDDIN NAGAR District-
SAMASTIPUR

=====

1. Ratan Thakur Son of Late Shiv Shankar Thakur, Resident of Village -
Kumhar Tola Madudabad, P.S. - Mohadden Nagar, Samastipur, Bihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr. Bharat Lal(App)

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

6 19-01-2016 Heard the learned counsel for the petitioner as well as

the learned A.P.P.

The petitioner seeks bail in a case for the offences
punishable under sections 302 and 201/34 of the I.P.C

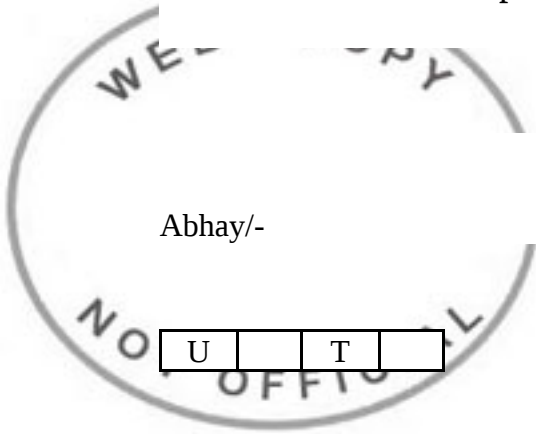
Allegedly, the dead body of unknown was recovered
from the mustered field. During investigation the dead body was
identified as of Ganesh Mahto and further it transpired that the
petitioner and co-accused Sattan Rai had called the deceased prior
to the alleged occurrence and the petitioner confessed his guilt
also leading to recovery of a page of Urdu daily newspaper
containing some blood like stain and also mobile.



Submission is of false implication and that the petitioner has himself appeared before the investigating officer for interrogation vide paragraph- 66 of the case diary and in the forensic science laboratory report no conclusive result has come regarding the page of that paper and other things and further co-accused Sattan Rai has already been allowed bail by another coordinate Bench of this Court and as such the petitioner who is suffering in custody since 18.12.2013 deserves sympathetic consideration.

In the facts and circumstances as stated above, considering that no one has seen the actual killing of the deceased and further in the forensic science laboratory report result for the test of blood group is not conclusive and as such the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of 3rd Adhoc Additional District & Sessions Judge, Samastipur in Sessions Trial No. 292 of 2014 arising out of Mohiuddin Nagar P.S. Case No. 234 of 2013, 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)