

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9018 of 2016

Arising Out of PS.Case No. -127 Year- 2015 Thana -DHANARUA District- PATNA

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1. Jodha Bind @ Yodha Bind son of Tulsi Bind, Resident of village- Balak Chak, 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. Satish Chandra

For the Opposite Party/s : Mr. Binod Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 25-04-2016 Heard the learned counsel for the petitioner as well as the learned A.P.P for the State.

The petitioner seeks bail in a case for the offence punishable under section 302/34 of the I.P.C

Allegedly, Wakil Bind, aged four years, the grand son of the informant was found dead near the west wall of the house of Akhilesh Ravidas. During investigation Kiran Devi confessed her guilt stating the name of the petitioner also.

Submission is of false implication and that besides suspicion there is nothing against the petitioner, no one has seen the petitioner administering poison to Wakil Bind, the grand son of the informant, the confessional statement of the co-accused has got no evidentiary value in the eye of law, co-accused Kiran Devi

has already been allowed bail vide Cr. Misc. No. 48949 of 2015 and the petitioner is suffering in custody since 13.07.2015 having no criminal antecedent.

The learned A.P.P. fairly submits that Kiran Devi has taken the name of the petitioner that she with the help of the petitioner committed murder of Wakil Bind.

In the facts and circumstances as stated above, 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 S.D.J.M. Masaurhi at Patna in Dhanarua P.S. Case No. 127 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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