

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12212 of 2016

Arising Out of PS.Case No. -482 Year- 2015 Thana -BEGUSARAI MUFFASIL District-
BEGUSARAI

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1. Binod Kumar Gupta @ Binod Das S/o Upendra Prasad, Resident of
Village- Sasan, P.s.- Hasanpur, District- Samastipur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Anand

For the Opposite Party/s : Mr. S.M. Rahman (App)

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

ORAL ORDER

3 03-05-2016

Heard learned counsel for the petitioner and learned

A.P.P. representing the State.

The petitioner seeks bail in connection with Muffasil
(Lakho) P.S. Case No. 482 of 2015 registered for the offences
punishable under Sections 364/34 and 302 of the Indian Penal
Code.

The petitioner is not named in the First Information
Report, wherein it is alleged that the mother of the informant was
killed by his father, step mother, step brother and wife of the step
brother and further the brother of the father is also involved in the
occurrence. During investigation, the informant in her further
statement stated the name of the petitioner also and accordingly,
other witnesses have also stated the name of the petitioner.

Submission is of false implication and that the
petitioner is son-in-law of Balkrishna Das from first wife, he has

got no concern with the family dispute, he is living separately at his village home, on the relevant date the petitioner was on journey from Patna to Delhi and for that a paper is also in his custody, without any fault the petitioner is suffering in custody since 16.12.2015 to which the learned A.P.P. opposes.

In the facts and circumstances stated above, considering that the name of the petitioner has been taken later on, after institution of first F.I.R. and further there is no specific allegation against him and as such, he is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of Sri C.M. Jha, learned Judicial Magistrate 1st class, Begusarai, in connection with Muffasil (Lakho) P.S. Case No.482 of 2015, subject to 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.)

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