

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56353 of 2015

Arising Out of PS.Case No. -257 Year- 2015 Thana -CHARPOKHARI District- BHOJPUR

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Ramdhari Ram @ Ramdhani Ram, son of Late Gariba Ram, resident of
village- Chandi, P.S- Charpokhari, District- Bhojpur, Arrah.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Parmatma Singh, Advocate

For the Opposite Party/s : Mr. Indra Kr.Singh, APP

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

3 11-02-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with
Charpokhari P.S. Case No. 257 of 2015 registered for the
offences punishable under Sections 364, 120(B)/34 of the Indian
Penal Code, further Sections 302 and 201 of the Indian Panel
Code have been added.

Allegedly, Sanjay Kumar, the husband of the
informant went with Kamata Musahar and thereafter he did not
return and Kamata Musahar stated that Sanjay Yadav was taken
away by Dasrath Paswan, Kariya Shah and 4 to 5 others at the
point of gun. During investigation, co-accused Deepak Paswan
was caught and he confessed his guilt stating the name of the

petitioner also and on the basis of his confessional statement, dead body of Sanjay Yadav was recovered from a well.

Submission is of false implication and that the petitioner has been made accused only on the basis of confessional statement of co-accused which has got no legal value, he is neither named nor he was arrested at the spot, there is no direct or circumstantial evidence against him and he is suffering in custody since 19.09.2015, having no criminal antecedent.

Learned A.P.P. after going through the case diary fairly submits that the name of the petitioner has come only in the confessional statement of co-accused and charge-sheet has already been submitted.

In the facts and circumstances stated above, the petitioner, above named, 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 Sub-Divisional Judicial Magistrate, Bhojpur, Arrah arising out of Charpokhari P.S. Case No. 257 of 2015, 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.)

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