

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41686 of 2016

Arising Out of PS.Case No. -2 Year- 2016 Thana -AGIAUN District- BHOJPUR

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1. Arbind Kumar son of Laljee Singh, resident of Village- Rampur P.O. Pawan, P.S. Agiaon (Garhani) District Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar

For the Opposite Party/s : Mr. Sri Surendra Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 05-10-2016 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 offences punishable under sections 363, 365 and 302/34 of the I.P.C

Allegedly, the nephew of the informant went out of the house with two boys on a bike towards Garhani Market and thereafter he did not return. During investigation the dead body was found from the field of one Ram Shekhar Tiwari. The petitioner has been made accused on the basis of confessional statement of Pappu Kumar.

Submission is of false implication and that the petitioner is in custody since 30.06.2016, he has got no criminal antecedent, charge sheet has already been submitted against the

petitioner, no allegation of tampering with the prosecution evidence is alleged against the petitioner and that co-accused Pappu Kumar has been allowed bail vide Cr. Misc. No. 25746 of 2016 by another co-ordinate Bench of this Court and as such the petitioner also deserves sympathetic consideration, to which the learned A.P.P. fairly submits that the co-accused Pappu Kumar has been allowed bail.

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 A.C.J.M-VII, Bhojpur, Ara in Agiaon (Garhani) P.S. Case No. 02 of 2016, 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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