

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57855 of 2015

Arising Out of PS.Case No. -141 Year- 2013 Thana -KADWA District- KATIHAR

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Jangali Roy @ Jagarnath Roy Son of late Nateshwar Roy Resident of
Village- Kurhela, Bobra, P.s Kadwa, District Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Helal Ahmad, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 01-03-2016

Heard learned counsel for the petitioner and learned

A.P.P. representing the State.

The petitioner seeks bail in connection with Kadwa
P.S. Case No. 141 of 2013 registered for the offences punishable
under Sections 302 and 120/34 of the Indian Penal Code.

On the basis of complaint petition the instant case has
been registered with allegation that the petitioner and co-accused
Bishwajeet Rai took away Devan Rai, the son of the informant but
the son of the informant did not return and his dead body was
found. He has also stated that Chaukidar and husband of Mukhiya
kept the complainant in dark, resulting no case was lodged at the
police station and the dead body was also cremated.

Submission is of false implication and that during
investigation it has come that the son of the complainant/informant
and one Jagdish Mistri were lying dead due to electric shock and

the owner of the generator has given Rs. 15,000/- each to their families but the complainant lodged this case against the petitioner and others falsely. The petitioner is suffering in custody since 04.10.2015 and, as such, he deserves sympathetic consideration to which the learned A.P.P. after going through the case diary fairly submits that during investigation the witnesses have stated otherwise.

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 C.J.M., Katihar in connection with Kadwa P.S. Case No. 141 of 2013 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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