

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12562 of 2017

Arising Out of PS.Case No. -140 Year- 2015 Thana -BALRAMPUR District- KATIHAR

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1. KSHITISH CHANDRA DAS @ KHITISH CHANDRA DAS Son of
Late Bhagat Das, Resident of Village-Mire Pokhor Police Station-Barsoi
(Sudhani) 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

For the Opposite Party/s : Mr. Sri Umeshnand Pandit

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**

ORAL ORDER

4 01-05-2017 Heard both sides.

The petitioner seeks bail in Balrampur P.S. case No.
140 of 2015 under Section 302, 307 and other Sections of the
Indian Penal Code.

The informant alleged that Tapan Kumar Das and
Raju Das came to his house on a motor cycle and slept on the
verandah of the house. It is further alleged that in the night at 1.30
AM Tapan Kumar Das and Raju Das firstly killed the father of
informant and while they were assaulting the mother of the
informant, he got up and saw them inflicting knife injury on her
person. On alarm, both the accused persons fled away. The
informant further alleged that the accused persons killed his father
and mother at the instance of father and brother of his step mother.

The learned counsel for the petitioner submits that



petitioner is father of step mother of the informant. The petitioner was not present at the place of occurrence. The petitioner is said to have hatched up conspiracy to kill the father and mother of the informant but there is no material in the entire case diary to show that petitioner is part of any conspiracy. Similarly situated accused and brother of the step mother of informant, Madan Kumar Das, has already been enlarged on bail vide order passed in Cr. Misc. No. 4964 of 2017. Petitioner is not the assailant of the deceased and he is alleged to have conspired and sent the accused Tapan Kumar Das and Raju Das to the house of informant to kill the father and mother of the informant. The case of petitioner stands on the same footing as that of Madan Kumar Das who has already been enlarged on bail.

Considering the facts aforesaid and the nature of allegation made against the petitioner, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Katihar in Balrampur P.S. Case No. 140 of 2015, S.T. No. 275 of 2016.

(Prabhat Kumar Jha, J)

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