

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7171 of 2017

Arising Out of PS.Case No. -206 Year- 2014 Thana -BEUR District- PATNA

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1. Chandan Kumar, Son of Devendra Prasad @ Murari Prasad, Resident of
village - New Yarpur, P.S. Gardani Bagh, District - Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sinha

For the Opposite Party/s : Mr. Sri Damodar Prasad Tiwary

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 22-02-2017 Heard the parties.

This application has been filed in connection with Beur
P.S.Case No.206 of 2014 for the offence under Sections 302/34 of
the Indian Penal Code.

It is submitted on behalf of the petitioner that he has been
made accused in this case only on the basis of confessional
statement of the co-accused, he has remained in custody for about
nine months and there is nothing except that.

Heard learned A.P.P. also, who has opposed the prayer for
bail, stating that the petitioner has criminal antecedent. He also
could not point out any other allegation except the confessional
statement of the co-accused.

Having heard both sides and in view of the fact that the



name of the petitioner has transpired only on the basis of confessional statement of the co-accused and there is nothing else against him as also he is in custody for about nine months, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Patna in connection with Beur P.S.Case No.206 of 2014.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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