

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27182 of 2017

Arising Out of PS.Case No. -2 Year- 2015 Thana -PATORI District- SAMASTIPUR

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Deepak Kumar, son of Aseshwar Prasad Rai @ Asheshwar Mahto,
Resident of Village- Bindgama, P.S.- Patori (Mohanpur O.P.), District-
Samastipur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ranjan Kumar, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

4 20-07-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 29.10.2016 in connection with Patori (Mohanpur O.P.) P.S. Case No. 02 of 2015 for the offences alleged under Sections 302, 201/34 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated only on the basis of his own confessional statement before the police. The petitioner himself was the informant in connection with the death of his brother and has been made accused after about one and half years of the occurrence. It is submitted that except his own confessional statement before the police, there is no objective material to connect the petitioner with the alleged occurrence. It is further submitted that the petitioner is on bail in the other prior cases in which he has been made accused.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the



satisfaction of learned Chief Judicial Magistrate, Samastipur, in connection with Patori (Mohanpur O.P.) P.S. Case No. 02 of 2015, on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

Md. Ibrarul/BT

(Vikash Jain, J)

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