

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39745 of 2017

Arising Out of PS.Case No. -67 Year- 2015 Thana -AKBARPUR District- NAWADA

=====

Madan Pandey son of Late Deonandan Pandey, resident of Village-
Paharpur, P.S. Akbarpur, District- Nawada.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bhola Kumar

For the Opposite Party/s : Mr. Sri Manish Kumar 2

=====

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 13-09-2017 Heard the learned counsel for the petitioner as
well as the learned A.P.P. for the State.

The petitioner wants to renew his prayer for bail which was earlier rejected by order dated 16.03.2016 passed in Cr. Misc. No. 58275 of 2015, on the ground that the confessional statement of the petitioner has been recorded forcibly, the recovered garland was not of the petitioner and there is no eye witness of the occurrence and up till now only charges have been framed and as such in near future the trial is not likely to be concluded and another co-accused, namely, Saroj Lal @ Saroj Modi has already been allowed bail vide Cr. Misc. No. 34197 of 2015. The allegation for pressing the neck of the deceased is against co-accused Saroj Lal @ Saroj Modi, whereas, against the



petitioner only allegation is that he catch hold leg of the deceased.

The learned A.P.P. seriously opposes prayer for bail of the petitioner by submitting that the petitioner has confessed his guilt and further his garland was recovered near the place of occurrence where the dead body of the deceased was found and further the witnesses have also named the petitioner.

In the facts and circumstances stated above, the petitioner is also 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-II, Nawada in connection with Akbarpur P.S. Case No.67 of 2015, 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)

Abhay/-

U		T	
---	--	---	--

