

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34469 of 2017

Arising Out of PS.Case No. -132 Year- 2016 Thana -CHAUTHAM District- KHAGARIA

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1. Pinkesh Kumar @ Pinkesh Yadav, S/o Kongres Yadav, resident of
Village- Thatha, P.S.- Mansi, District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh

For the Opposite Party/s : Mr. Ram Bachan Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 12-09-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
07.01.2017 in connection with Supplementary Chautham P.S.
Case No. 132/2016, G.R. No. 2106/2016 for offences punishable
under Sections 302, 201, 120-B/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that his grandson Rakesh Kumar had gone out of the house on
04.10.2016 at 11.30 A.M. but did not return till evening. After two
days he was informed that a dead body was lying in a room of the
school, which was identified as his grandson.

It has been submitted by the learned counsel for the



petitioner that he is innocent, not named in the First Information Report and it is only on the basis of confessional statement of co-accused Manjit Kumar Sharma that his name surfaced. He submits that the said Manjit Kumar Sharma has since been granted privilege of bail by the learned court below itself. He submits that the informant's grandson met with an accident in the field from the tractor, no motive has been assigned to the said occurrence and it is only on the basis of suspicion that the petitioner has been made accused. He further submits that offence under Section 302 of the IPC is not made out, charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, 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 learned Addl. Sessions Judge 1st, Khagaria, in connection with Supplementary Chautham P.S. Case No. 132/2016, G.R. No. 2106/2016, subject to the condition that one of the bailors would



be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station/ court, who will file an affidavit stating his relationship with the petitioner and that petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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