

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42676 of 2017

Arising Out of PS.Case No. -415 Year- 2015 Thana -KAHALGAON District- BHAGALPUR

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Sonu Kumar @ Sonu Mahto, Son of Late Tarni Mahto, resident of
Village- Mahesha Munda, P.S. Kahalgaon, District- Bhagalpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party/s : Mr. Shailendra Kumar -1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 18-10-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with
Kahalgaon P.S. Case No. 415 of 2015 registered for the offences
punishable under Sections 302 and 201/34 of the Indian Penal
Code.

Petitioner is not named in the FIR and the case is under
Section 302 IPC and later on it appears that though in the FIR it is
alleged that Sonia Devi had called the deceased on telephone but
on confusion name of Sonia Devi was taken, rather it was
petitioner Sonu, who has taken the deceased along with him and
thereafter deceased was traceless and later on his dead body was
found.

Submission of learned counsel for the petitioner is that
there is contradiction between FIR and the statement of witnesses
during course of investigation and furthermore he is in custody for
more than one year and there is no eye-witness to the occurrence.



Heard learned APP also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of Additional District and Sessions Judge-IV, Bhagalpur, in connection with Sessions Trial No. 791 of 2016, arising out of Kahalgaon P.S. Case No. 415 of 2015, subject to the following conditions :-

- (1) One of the bailors shall be a local person having sufficient immoveable properties in the jurisdiction of court concerned,
- (2) Petitioner shall co-operate in trial and appear on each and every date and on failure to appear on two consecutive dates without showing any genuine ground or without permission of court, his bail bond shall be cancelled.

(Vinod Kumar Sinha, J)

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