

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43610 of 2017

Arising Out of PS.Case No. -7 Year- 2017 Thana -AJIMABAD District- BHOJPUR

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1. Niranjan Kumar @ Guru Jee Son of Late Dayal Singh, R/o Village-
Baghakol, P.S.- Bikram, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Indra Mohan Kumar

For the Opposite Party/s : Mr. Akbar Ali

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 09-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
08.04.2017 in connection with Ajeemabad P.S. Case No. 07/2017
for offences punishable under Section 302 and other allied
Sections of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that his brother gave a telephone call that he is going along with
one Ranjan Kumar to Ara for attending a birthday party and
thereafter he became traceless. The next day dead body was
recovered, which was identified to be of the informant's brother
Upendra Kumar.



It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and not named in the First Information Report. He submits that his name surfaced only on the confessional statement of said Ranjan Kumar, who has stated that the petitioner is engaged in buying and selling of stolen vehicles and apart from that there is no allegation against the petitioner, as such, Section 302 of the IPC is not applicable against the petitioner and it was Ranjan Kumar who confessed of killing the brother of the informant. He further submits that 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 Judicial Magistrate, 1st Class, Bhojpur at Ara, in connection with Azeemabad P.S. Case No. 07/2017, subject to the following conditions :

- (i) One of the bailors would be a close relative of the



petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

- (ii) 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)

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