

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57458 of 2017

Arising Out of PS.Case No. -112 Year- 2016 Thana -BHAGWANPUR District- -

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1. Prabhu Narayan Kushwaha @ Prabhu Kushwaha @ Prabhu Singh
Kushwaha S/o Lallu Prasad Singh, R/o Village- Kaser , P.S.- Bhagwanpur,
District- Kaimur at Bhabua.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 14-12-2017 Heard learned counsel for the petitioner as well as
learned A.P.P. for the State.

The petitioner, who is in custody since 04.09.2017,
seeks regular bail in connection with Bhagwanpur P.S. Case
No.112 of 2016 registered for the offences punishable under
Sections 364, 365, 120(B) and 302/34 of the Indian Penal Code.

The learned counsel for the petitioner submitted that
the specific allegation of kidnapping and committing murder of
deceased is omnibus against all the F.I.R. named accused persons,
who are the agnates of the informant. The name of this
petitioner appeared in confessional statement of Laljit Pasi



@ Laljee Pasi, who has been allowed bail in Criminal Miscellaneous No.52452 of 2017 by a coordinate Bench of this Court on 04.12.2017. One of the agnates with whom the informant has litigation, namely, Shrawan Kumar has been allowed bail in Criminal Miscellaneous No.38322 of 2016 and the other accused Raju Mahto has also been allowed bail in Criminal Miscellaneous No.28697 of 2017. The case of the petitioner stands on similar footing.

Learned A.P.P. for the State opposed the submission.

Considering the facts and circumstances of the case, the prayer of bail is allowed. The petitioner, named above, is directed to 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 the learned A.C.J.M.-V, Kaimur at Bhabua in connection with Bhagwanpur P.S. Case No.112 of 2016, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) If the petitioner is found involved in future in similar type of allegation, the prosecution will have liberty to move for cancellation of bail.
- (iv) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure



on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Sanjay Kumar, J)

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