

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46286 of 2016

Arising Out of PS.Case No. -19 Year- 2000 Thana -BASNAHI District- SAHARSA

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Ganeshi Sharma @ Ganesh Sharma Son of Chhotkan Sharma, Resident of
Village- Khajuraha, P.S.- Sonbarsa, Dist- Saharsa.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Chandra Mohan Jha

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 12-01-2017 Heard both sides.

The petitioner seeks bail in Basnahi P.S. Case No. 19
of 2000 registered under Sections 302, 201, 365, 120B of the
Indian Penal Code.

The F.I.R. was lodged against unknown after
recovery of the beheaded dead body of a female. Learned counsel
for the petitioner submits that the name of the petitioner figured in
the case in the confessional statement of co-accused Surendra
Sharma who disclosed that it was the petitioner who beheaded the
lady. Save and except the confessional statement, there is no
material against the petitioner. It is further submitted that other
accused persons have already been acquitted. It is submitted that
the petitioner is a labour and he had gone to Haryana to earn his
livelihood. The petitioner is in jail since 20.07.2016.



Considering the facts that the petitioner is in jail for last six months on the basis of the so-called confessional statement a co-accused, who has been acquitted, the above named petitioner is directed to 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 Sri B.K. Singh, Judicial Magistrate, Saharsa in Basnahi P.S. Case No. 19 of 2000. The petitioner shall appear on each and every date during the course of trial and if the petitioner defaults in appearing before the trial court on two consecutive dates, the learned trial court shall cancel the bail bonds of the petitioner.

(Prabhat Kumar Jha, J)

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