

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23213 of 2017

Arising Out of PS.Case No. -475 Year- 2015 Thana -KANTI THARMAL POWER District-
MUZAFFARPUR

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Pintu @ Chintu @ Rajnish @ Chintu Sah, son of Ram Pravesh Sah, resident
of Village- Sain, Tole Brijlal, Police Station- Kanti, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Rajpati, Advocate

For the Opposite Party/s : Mr. Murli Dhar, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 02-08-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
29.01.2016 in connection with Kanti (Panapur O.P.) P.S. Case No.
475 of 2015, G.R. No. 2607 of 2015 registered for the offences
punishable under Sections 302/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that his nephew was taken away on a motorcycle by the petitioner
and one Golu Thakur and thereafter he did not return. Nephew of
the informant was killed by knife blow.

It has been submitted by the learned counsel for the
petitioner that he is innocent and has been falsely implicated due



to village politics and it is only on the basis of suspicion and due to land dispute that the petitioner has been made accused.

However, learned A.P.P. for the State submits that it is a case of last seen, hence, opposes the prayer for bail.

Earlier bail application of the petitioner was rejected on 15.12.2016 passed in Cr. Misc. No. 39800 of 2016.

A report has come from the Court of the learned Additional District and Sessions Judge-VIII, Muzaffarpur vide letter No. 625 dated 25.07.2017 that out of 12 witnesses, four witnesses have been examined.

Considering the facts and circumstances and that the petitioner is in custody for more than one and half years and that trial is not likely to be concluded in the near future, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate (West), Muzaffarpur in connection with Kanti (Panapur O.P.) P.S. Case No. 475 of 2015, G.R. No. 2607 of 2015, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable properties within the jurisdiction of the concerned P.S./ Court, who would file an



affidavit stating his relationship with the petitioner and that petitioner will appear before the learned Court below on each and every date and failure to appear before the learned Court below on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J.)

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