

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33928 of 2017

Arising Out of PS.Case No. -235 Year- 2016 Thana -DULHIN BAZAR District- PATNA

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1. Antosh Kumar, Son of Shyam Karn Thakur, Resident of Village-Dharhara, Police Station-Paliganj District-Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Smt. Sudha Ambastha

For the Opposite Party/s : Mr. Sri Panchanand Pandit

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 09-08-2017

Heard the parties.

The petitioner seeks regular bail in connection with Dulhin Bazar P.S.Case No.235 of 2016 , registered for offences punishable under Section 363 of the Indian Penal Code.

The petitioner is not named in the F.I.R. The case is under Section 302 of the Indian Penal Code.

Submission of the learned counsel for the petitioner is that his name transpired on confession of one co-accused but in this case wife of the deceased has confessed her guilt before the police and she has also named Sukesh Kumar with whom she has love affair and both have killed the deceased for the purpose of grabbing the property.

So far this petitioner is concerned, nothing specific



has been mentioned in the confession of the co-accused against the petitioner and the petitioner is in custody for more than six months.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged 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 learned A.C.J.M.-III, Danapur, Patna in connection with Dulhin Bazar P.S.Case No.235 of 2016 (dated 5.12.2016) corresponding to G.R.No.3892 of 2016.

With 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) The petitioner shall co-operate in disposal of trial and make himself available as and when required by the court. In the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reason, his bail bond shall be cancelled.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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