

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38444 of 2017

Arising Out of PS.Case No. -92 Year- 2017 Thana -PHULWARI District- PATNA

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Amarendra Kumar Singh, Son of Late Ramji Singh, Resident of Village-
Ranipur, P.S.- Phulwarisharif, District- Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Babita Kumari, Adv.

For the Opposite Party/s : Mr. Sri Rana Randhir Singh, APP.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 06-10-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Phulwarisharif
P.S. Case No. 92 of 2017 for offences punishable under Sections
302, 201/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant who
is also the petitioner in the present case, is that while one of his
brothers Jitendra Kumar Nandan (deceased) had left the house and
did not return on search his dead body was found on the southern
side of pond of Ganesh Singh.

It has been submitted by the learned counsel for the
petitioner that the deceased was the own brother of the informant-
petitioner and they were three brothers who were to receive
compensation for their lands acquired by the government and it is



only on the statement of the wife of the deceased Anju Kumari that such suspicion has been raised against the petitioner and he has been made accused. He submits that there is no eye witness to the alleged occurrence and one Ganauri Paswan who sells wine and who had brought the mobile and purse of the deceased to his wife has not been examined or his statement taken upto now. He submits that except suspicion there is no other material against the petitioner and that he is languishing in judicial custody since 05.07.2017. He submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner. The petitioner does not have any criminal history.

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, Patna in connection with Phulwarisharif P.S. Case No.92 of 2017, subject to the condition that 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 and that 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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