

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36159 of 2017

Arising Out of PS.Case No. -10 Year- 2017 Thana -NTPC KHAIRA District- AURANGABAD

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Ashok Prajapati, Son of Mahavir Prajapati, resident of Village Ankorha,
P.S. N.T.P.C. Khaira, District- Aurangabad.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh

For the Opposite Party/s : Mr. Sri Rajkishore Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 12-10-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with N.T.P.C.
Khaira P.S. Case No. 10 of 2017 for offences punishable under
Sections 302/201 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that the dead body of his cousin brother was found lying in a field
near the railway station.

It has been submitted by learned counsel for the petitioner
that he is innocent, bears no criminal history and not named in the
F.I.R. and that his name surfaced only on the basis of his
confessional statement before the police which has no evidentiary



value in the eye of law. He submits that another co-accused Vinay Singh on similar allegation has been granted the privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 35732 of 2017 on 31.07.2017. He submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

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 Chief Judicial Magistrate, Aurangabad in connection with N.T.P.C. Khaira P.S. Case No. 10 of 2017, subject to the conditions that:

- (1) 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.
- (2) 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)

Devendra/-

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