

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24890 of 2017

Arising Out of PS.Case No. -4 Year- 2017 Thana -BARHARA District- PURNIA

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1. Amit Kumar, son of Vivekanand Yadav, resident of Village- Dewari,
P.S.- Barhara Kothi, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Uday Singh

For the Opposite Party/s : Mr. Satyendra Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 17-07-2017

Heard the parties.

The petitioner seeks regular bail in connection with Barhara P.S.Case No.04 of 2017, registered for offences punishable under Sections 302,120B and 34 of the Indian Penal Code.

The petitioner is not named in the F.I.R. and later on it appears that he has confessed his guilt before the police.

Submission of the learned counsel for the petitioner is that he has been falsely implicated in this case due to land dispute between the parties and the informant is nephew of the informant. It is further submitted that except the confession before the police, there is nothing available against him. The petitioner is in custody for about six months.



Heard learned A.P.P. also, who has opposed the prayer for bail stating that during the course of investigation it has come that the petitioner had informed the informant that he was along with the petitioner and other persons, just before the occurrence and the petitioner has confessed his guilt.

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 C.J.M., Purnea in connection with Barhara P.S.Case No.04 of 2017.

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 the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reason, otherwise, his bail bond shall be cancelled.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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