

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44773 of 2017

Arising Out of PS.Case No. -663 Year- 2016 Thana -ARA NAWADA District- BHOJPUR

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1. Niraj Kumar @ Niraj Kushwaha, son of Kamata Kushwaha, Resident of
Muhalla- Anaith, P.S.- Arrah- Nawada, District- Bhojpur (Ara).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mithilesh Kumar Rai

For the Opposite Party/s : Mr. Sri Parmanand Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 06-11-2017 Heard the parties.

The petitioner seeks regular bail in connection with
Ara Nawada P.S.case No.663 of 2016 registered for offences
punishable under Sections 302, 201 and 34 of the Indian Penal
Code.

Petitioner is named in the FIR and the case is under
Section 302 of the IPC.

Submission of the learned counsel for the petitioner is
that he has been made accused in this case only on the basis of
confession of the co-accused, nothing has been recovered from his
possession and he is in custody for about ten months. It is further
submitted that the petitioner was not there in disposing of the dead
body.



Heard learned A.P.P. and the learned counsel for the informant. They have opposed the prayer for bail.

Having heard both sides and in view of facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Bhojpur at Arrah in connection with Ara Nawada P.S.Case no.663 of 2016 dated 2.12.2016.

With following conditions :

- (i) One of the bailors of the petitioner shall be local person having sufficient immovable property within jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidences.
- (iii) The petitioner shall co-operate in disposal of trial and make himself available as and when required by the court concerned and in the event of failure to appear before the court below on two consecutive dates without showing any genuine reasons, his bail bond shall be cancelled.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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