

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23073 of 2017

Arising Out of PS.Case No. -76 Year- 2017 Thana -NAUTAN District-
WESTCHAMPARAN(BETTIAH)

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1. Hemant Kumar Rao S/o Ramadhar Rao R/o Village - Bankatwa, P.S. -
Nautan, District - West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna singh, Sr. Adv.

For the informant : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 23-06-2017 Heard the parties.

The petitioner seeks regular bail in connection with Nautan
P.S.Case No.76 of 2017 registered for offences punishable under
Sections 302 & 120(B) of the Indian Penal Code.

The petitioner is not named in the F.I.R. and later on his
name transpired during the course of investigation of the case. The
case is made out under Section 302 and other Sections of the
Indian penal Code.

It is submitted on behalf of the petitioner that the petitioner
has been made accused only on the basis of suspicion and except
suspicion, there is nothing against him and he is in custody for
about three months. The charge sheet has been submitted.

Heard learned A.P.P. as well as learned counsel for the
informant. The learned counsel for the informant has submitted



that there was love affair between the deceased and daughter of the petitioner, however, he could not draw any other circumstances against the petitioner in support of his statement.

Having heard both sides and in view of the fact that except suspicion there is nothing against the petitioner and the charge sheet has already been submitted, 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 A.C.J.M., West Champaran, Bettiah in connection with Nautan P.S. Case No.76 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 reasons, the prosecution is free to move for cancellation of his bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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