

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2307 of 2017

Arising Out of PS.Case No. -111 Year- 2016 Thana -MITHANPURA District- MUZAFFARPUR
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1. Rohit Kumar @ Kumar Son of Late Garibnath Singh, R/o Mohalla-
Aamgola, Orient Club, P.S.- Mozi Mlhamadpur, District- Muzaffarpur.

.... Appellant/s

Versus

1. The State of Bihar.

2. Sanjay Paswan Son of Shri Narayan Paswan, R/o Mithan Pura, Lala
Paswan Tola, P.S.- Mithanpura, District- Muzaffarpur.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. S. Jamil Akhtar

For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 12-10-2017

Heard the parties.

The appellant seeks regular bail in Mithanpura P.S.

Case No.111 of 2016 registered for the offence under SectionS
302, 120(b), 201/34 of the I.P.C. and Section 2(2) (x) (a) of SC/ST
(POA) Act.

Allegation against the appellant is that he had taken
away the son of the informant and thereafter he was traceless and
further allegation is that the appellant along with the other accused
persons killed him.

Submission of the learned counsel for the appellant is



that there is no eye witness to the occurrence and at best this is a case of last seen. Further submission is that he has no criminal antecedent and he is in custody for six months. Charge sheet has already been submitted. The F.I.R. itself shows the name of the co-accused persons with whom the son of the informant had enmity and, as such, he was being murdered by some other accused persons.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, the appeal is allowed. Let the appellant, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- with two sureties of the like amount each to the satisfaction of S.D.J.M., East, Muzaffarpur, in Mithanpura P.S. Case No.111 of 2016 subject to the conditions that (1) one of the bailors of the appellant shall be a local person having sufficient immovable property within the jurisdiction of the concerned court. (2) The appellant will not induce any witness or tamper with the evidence. (3) The appellant shall co-operate in disposal of trial and make himself available as and when required by the court. In the event of failure on his part to appear before the court below on two



consecutive dates without showing any genuine reason, his bail bond shall be cancelled.

(Vinod Kumar Sinha, J)

AnilKrSinha/-

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