

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14738 of 2017

Arising out of P.S. Case No.555 Year- 2016 Thana -MOHANIA District- BHABHUA (KAIMUR)

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Kamal Narayan Pandey @ Kisto, Son of Sudarsan Pandey, Resident of
Village-Maricha, P.S. Mohania, District-Kaimur (Bhabua)

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Mishra, Advocate.

For the Opposite Party/s : Mr. S. Ehteshamuddin, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 15-05-2017 Heard learned counsel for the petitioner, learned
counsel for the opposite party No. 2 and the State.

The petitioner seeks bail in Mohania P.S. Case No.
556 of 2016 instituted for the offence under Sections 364, 302,
201, 120(B) and 34 of the Indian Penal Code.

It has been submitted that petitioner is not named in the
First Information Report. As per allegation, the wife of the
deceased has illicit relationship with Saroj Prajapati and he used
to give threat to the deceased to kill him. It is alleged that on the
date of occurrence, the son of the informant had gone to irrigate
his crops but did not return in the evening. In the written report,
the informant has raised suspicion against Saroj Prajapati. It has
further been submitted that the co-accused Ravindra Prajapati has



been granted bail by a coordinate Bench of this Court vide order dated 29.3.2017 passed in Cr. Misc. 14389 of 2017.

During investigation, name of this petitioner has transpired in the confessional statement of co-accused Saroj Prajapati and also in the statement of wife of deceased Biva Devi.

The counsel for the opposite party No. 2 has read the confessional statement of Saroj Prajapati as mentioned in paragraph-73 of the case diary wherein he has admitted his illicit relationship with the wife of the deceased. Besides this, he has just taken the name of this petitioner in his confessional statement.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named, be released 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, Kaimur at Bhabua, in connection with Mohania P.S. Case No. 555 of 2016, subject to the condition that both the bailors will be the close relatives of the petitioner.

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(Sanjay Priya, J)

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