

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.15578 of 2017

Arising Out of PS.Case No. -19 Year- 2017 Thana -MANER District- PATNA

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DILIP KUMAR, S/o late Rajnath Rai, R/o Baluwa P.S.- Maner, District-
Patna. Petitioner

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary, Advocate

For the Opposite Party/s : Mr. Sri Amit Kumar Rakesh, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 26-04-2017 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Maner
P.S. Case No. 19 of 2017 registered for the offence punishable
under Sections 302/34 of the Indian Penal Code.

Allegedly, Bittu Kumar, the son of the informant was
murdered by some unknown criminals and the dead body of the
deceased was found near Bhootnath Temple, Sarai.

Submission is of false implication and that the
petitioner is not named in the First Information Report. There is no
direct or indirect evidence against him. The petitioner has been
apprehended only on suspicion and thereafter his confessional
statement has been recorded after adopting third degree method.
There is no eye witness who has stated the name of the petitioner.
Besides confessional statement there is nothing against the



petitioner and he is suffering in custody since 17.01.2017.

The learned A.P.P. submits that besides the petitioner co-accused Vikash Kumar has also confessed his guilt stating the name of the petitioner.

In the facts and circumstances as stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri Randhir Kumar, the learned Judicial Magistrate, Patna in connection with Maner P.S. Case No. 19 of 2017, subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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