

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27563 of 2018

Arising Out of PS.Case No. -6 Year- 2012 Thana -CHAKIA District-
EASTCHAMPARAN(MOTIHARI)

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Pappu Bhagat @ Ran Vijay Kumar S/o Jagdish Bhagat, R/o Vill.- Bathna,
P.S.- Motipur, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Karn

For the Opposite Party/s : Mr. Sri Uday Chand Prasad

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 09-05-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
14.12.2017 in connection with Chakiya P.S. Case No. 06 of 2012
for offences punishable under Sections 302, 392 of the Indian
Penal Code.

The prosecution case, as lodged by the informant, is
that while his son Awdhesh Kumar, who was a truck driver, was
bringing the truck he was killed.

It has been submitted by the learned counsel for the
petitioner that he is innocent, not named in the F.I.R. and it is only



on the basis of his own extra judicial confessional statement and confessional statement of co-accused that he has been made accused in the present case. He submits that one of the co-accused Vinay Kumar Singh, who has also confessed his guilt, has been acquitted by the learned court below in Sessions Trial No. 561 of 2012. He submits that charge-sheet has already been submitted and the petitioner is ready to co-operate in the trial on day to day basis.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged 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 Additional Chief Judicial Magistrate-13, Motihari in connection with Chakiya P.S. Case No. 06 of 2012, subject to the conditions that:

- (1) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his



relationship with the petitioner.

(2) Petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

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