

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29393 of 2018

Arising Out of PS.Case No. -13 Year- 2018 Thana -ASARGANJ District- MUNGER

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Kailash Panjiyara S/o Yogendra Panjiyara, R/o Mohalla- Sondik Bhawan,
P.S.- Asarganj, District- Munger.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gautam Kumar Kejriwal, Advocate

For the Opposite Party/s : Mr. Sri Nityanand

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 02-07-2018 Heard learned counsel for the petitioner, learned
counsel for the informant as well as learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Asarganj P.S. Case No.13 of 2018, G.R. No.253 of 2018
registered for the offences punishable under Sections 363, 302,
201, 120B and 34 of the Indian Penal Code.

It has been submitted that this petitioner was
apprehended on a report of spy and the petitioner confessed and
disclosed that he was called by the mother of co-accused Raushan
Kumar to help them in concealing the dead body of victim girl
who was killed by her son. The said confession was made under
threat and coercion by the police which has got no evidentiary
value. The said co-accused Raushan Kumar was apprehended by



police who confessed his complicity in the crime and stated that he had monetary dispute with the father of the victim girl and, therefore, he committed murder of the victim girl. According to the learned counsel for the petitioner, there is a limited role of this petitioner of having assisted in concealment of a dead body and so no offence under section 302 of I.P.C. is made out against this petitioner. It has been submitted that the doctor, who has conducted postmortem, has not found sexual assault on the victim. The petitioner is in custody since 05.02.2018 having clean antecedent and so he deserves bail.

The learned counsel for the informant as well as learned A.P.P. for the State opposed the submission.

Considering the facts and circumstances of the case, the prayer of bail is allowed. The petitioner, named above, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Munger in connection with Asarganj P.S. Case No.13 of 2018, G.R. No.253 of 2018, subject to the 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) If the petitioner is found involved in future in similar type of allegation, the prosecution will have liberty to move for cancellation of bail.
- (iv) The petitioner shall cooperate 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.

(Sanjay Kumar, J)

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