

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38127 of 2018

Arising Out of P.S.Case No. -449 Year- 2017 Thana -ALAMGANJ District- PATNA

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Rinku Saw, Son of Late Anoop Kumar @ Anup Saw, resident of in-front of Chailitar School, P.S. Alamganj, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashi Shekhar Sharma
For the Opposite Party/s : Mr. Dilip Kumar, APP
For the Informant : Mr. Abhay Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 24-07-2018 Heard learned counsel for the petitioner, learned
counsel for the informant as well as learned counsel for the APP

The petitioner is in custody in connection with Alamganj P.S.Case No.449 of 2017 registered for an offence under Sections 302 and 201/34 of the IPC.

As per FIR, one Rinku Pandey came at the house of the informant took away his son on the pretext of attending the marriage ceremony. The son of the informant did not return and on the following day, the dead body of the deceased was recovered near a mobile tower.

It has been submitted that the petitioner has been implicated merely on suspicion. There is no eye witness to the occurrence. The name of the petitioner appeared in the confession of co-accused Rinku Pandey who had accompanied the deceased.



The said Rinku Pandey was apprehended by the police who disclosed about the manner of occurrence and participation of this petitioner in the above crime and except this there is nothing against the petitioner. The petitioner has voluntarily surrendered on 23.11.2017

The learned APP as well as the Informant opposed the submission. It has been submitting that as per version of co-accused it was the petitioner who gave repeated blow on the head of the deceased and so the petitioner does not deserve on bail.

Considering the aforesaid facts and circumstances, prayer for bail is allowed. Let the above named petitioner 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 Additional Sessions Judge-V, Patna City in connection with Sessions Trial No.224 of 2018 arising out of Alamganj P.S.Case No.449 of 2017 with 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) The petitioner shall cooperate in the disposal of trial and make themselves 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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