

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.769 of 2018

Arising Out of PS.Case No. -406 Year- 2017 Thana -PHULWARI District- PATNA

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Birju Pandit, aged about 28 years, Son of Ramchandra Pandit, Resident of Village- Sabajpura, Kumhartoli, Post- Khagaul, P.S.- Phulwarisharif, Dist- Patna. Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Anshuman, Advocate

For the Opposite Party : Mr. Shailendra Kumar -1, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 11-01-2018 Heard learned counsel for the petitioner and the State.

Petitioner is an accused in a case registered for offence under sections 302, 120B, 201 and 34 IPC.

Counsel for the petitioner submits that the petitioner has falsely been implicated in this case at the instance of police officials who were interested in property which was inherited by the petitioner in support of which he relied upon the rent receipt issued by the Patna Municipal Corporation dated 27.3.2017, i.e., prior to the alleged occurrence. He has also placed on record the affidavit filed by the witness wherein they have denied the knowledge of the occurrence. Prior to the lodging of this case, he is not accused in other case. The allegation is highly improbable and the petitioner is in custody since 6.7.2017.

Considering the aforesaid submissions, prayer for bail of the petitioner is allowed. Let the petitioner, mentioned above, be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of Smt Priya Shekhar, Judicial Magistrate 1st class, Patna in Phulwarisharif



(Patna) Police Station Case No. 406 of 2017 on the following conditions:-

(a) One of the bailors will be a close relative of the Petitioner who will give an affidavit giving genealogy as to how he is related with the Petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the Petitioner.

(b) The Petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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