

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.62916 of 2018

Arising Out of PS. Case No.-35 Year-2018 Thana- PARSABAZAR District- Patna

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Ajit Kumar @ Bilai Son of Mahendra Rai, R/o Nathupur Pethani, P.S.-
Beur, Distt.-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary

For the Opposite Party/s : Mr. Sri Umeshnand Pandit

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 12-10-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner, who is in custody, seeks bail in connection with Session Trial No. 430 of 2018 arising out of Parsa Bazar P.S. Case No. 35 of 2018 registered for the offence punishable under Sections 302, 120(B)/34 of the Indian Penal Code and Section 27 of Arms Act.

FIR was lodged against unknown persons. Informant is the brother of deceased and after getting information about murder of deceased, he lodged the present case against unknown persons.

It has been submitted on behalf of the petitioner that petitioner is innocent and has been falsely implicated in this case. Name of petitioner has surfaced in this case only on the basis of confessional statement of co-accused Shankar Kumar who has already been granted bail by this Hon'ble Court vide



order dated 12.07.2018 passed in Cr. Misc. No. 31732 of 2018. Petitioner has no criminal antecedent and he is in custody since 06.03.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Session Judge-IV, Patna, in connection with Session Trial No. 430 of 2018 arising out of Parsa Bazar P.S. Case No. 35 of 2018 subject to the conditions that:-

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.
- (3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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