

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.76093 of 2018

Arising Out of PS. Case No.-57 Year-1997 Thana- ISLAMPUR District- Nalanda

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Kamlesh Prasad son of Shiya Sharan Prasad, resident of village-
Kharharwapur, p.s. Islampur, District Nalanda.
... .. Petitioner/s

Versus

The State Of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tej Narayan Singh
For the Opposite Party/s : Mr. Sri Yogendra Kumar

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 18-12-2018

Heard learned counsel for the parties.

Petitioner seeks bail in **Islampur P.S. Case No. 57 of 1997** registered for the offence punishable under Section 302 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against the petitioner is of committing murder of the husband of the Informant along with FIR named accused and throwing the dead body in Khandha.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. It has been further submitted that the Informant has raised suspicion against the petitioner in the FIR. Police after investigation had found petitioner to be innocent and had submitted final form against him. Petitioner has got no criminal antecedent and is in custody since 28.08.2018.

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/- with two sureties of the like amount each to the satisfaction of learned **1st A.D.J. Hilsa, Nalanda**, in connection with **S. Trial No. 490 of 2018 arising out of Islampur P.S. Case No. 57 of 1997** , with following conditions:-

(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 properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(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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