

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60949 of 2018

Arising Out of PS. Case No.-64 Year-2018 Thana- HATHAURI District- Muzaffarpur

Subodh Pandey, son of late Ram Ekbal Pandey, resident of village
Parmjeevar, P.S. Hathauri, Distt. Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Surendra Kishore Thakur, Advocate.
For the informant	:	Mr. Ujjawal Kumar Singh, Advocate.
For the State	:	Mr. Nawal Kishore Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 22-11-2018 Supplementary affidavit has been filed on behalf of

the petitioner stating therein that petitioner is also an accused

in Hathauri P.S. Case No. 20 of 2008. Let it be kept on the

record.

Heard learned counsel for the petitioner, counsel for
the informant and the State.

The petitioner seeks bail in Hathauri P.S. Case No.
64 of 2018 instituted for the offence under Sections 364/34 and
216 of the Indian Penal Code. Subsequently, charge sheet has
been submitted under Section 364, 302 and 201/34 of the
Indian Penal Code.

In the written report it is alleged that deceased has
some due amount with the petitioner. The petitioner telephoned



the deceased on 26.4.2018 and he went to the house of the petitioner but he did not return. The informant started search and reached the house of petitioner on 27.4.2018 to enquire about his son, but petitioner did not give any satisfactory reply to the informant.

Counsel for the petitioner submits that it is a case of last seen. There is no recovery of dead body from the house of petitioner. The dead body of the deceased has been recovered from the campus of Nagendra Pandey.

Counsel for the informant submits that petitioner had called the deceased over phone for returning his due amount. The deceased went to the house of the petitioner and he did not return.

In this manner, from the written report itself it appears that mere suspicion has been raised against the petitioner.

Petitioner is said to be in custody since 29.4.2018.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named, 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 learned Additional Chief



Judicial Magistrate, Muzaffarpur, in connection with Hathauri P.S. Case No. 64 of 2018, subject to the condition that both the bailors will be the close relatives of the petitioner with further conditions which are as follows:-.

(i) The petitioner will cooperate in conclusion of the trial. (ii) He will remain present on each and every date of trial till disposal of the case. (iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial. (iv) In the event of default of two consecutive dates without any valid reason, his bail bonds will liable to be cancelled.

S.Ali/-

(Sanjay Priya, J)

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