

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58935 of 2018

Arising Out of PS. Case No.-142 Year-2018 Thana- SHEOHAR District- Sheohar

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Kundan Kumar S/o Umesh Singh, resident of Village- Bisahi, P.S. and District Sheohar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh

For the Opposite Party/s : Mr. Smt. Madhuri Lata

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 25-10-2018 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner, who is in custody, seeks bail in connection with Sheohar P.S. Case No. 142 of 2018 registered for the offence punishable under Sections 302, 120(B) of the Indian Penal Code.

Informant has alleged in the FIR that on 24.06.2018 at 1.30 PM he came to know that his grandson Raj Kumar has been killed by some one and on this information he reached the place of occurrence, where his dead body having cut injury on his neck, was seen lying on the road near Sugiya Kabristan. He further stated that Ambikesh Singh had taken his grandson from the house at 1.30 PM and thereafter his grandson was seen at Bisahi Chowk with Ambikesh, Kundan (petitioner) and Nikhil.



He suspected that all three persons including petitioner have committed murder of his grandson.

It has been submitted on behalf of the petitioner that only suspicion has been raised against petitioner since he was seen accompanied petitioner with co-accused Ambikesh Singh and Nikil Kumar at Vaishani Chowk. It has been further submitted that similarly co-accused, namely Nikhil Kumar has been granted bail by this Hon'ble court vide order dated 06.10.2018 passed in Cr. Misc. No. 62359 of 2018. Petitioner has no criminal antecedent and he is in custody since 25.06.2018.

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 C.J.M., Sheohar, in connection with Sheohar P.S. Case No. 142 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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