

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.680 of 2018

Arising Out of PS.Case No. -265 Year- 2017 Thana -MASAURHI District- PATNA

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Pappu Kumar @ P. P. (aged about 20 years), S/o Sri Kamta Prasad, resident
of Village- Sakarpura, P.S.- Dhanarua, District- Patna

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate

For the Opposite Party/s : Smt. Madhuri Lata, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 19-02-2018 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The petitioner is in custody since 08.08.2017 in
connection with Masaurhi P.S. Case No.265 of 2017, GR
No.848/17, registered for the offence under Sections 302 and
201/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
entire family of the petitioner has been roped in the present
case on account of enmity. He further submits that there is no
eye-witness to the occurrence and, in fact, the deceased was
found in a drain after having suffered head injuries. Learned
counsel for the petitioner has further drawn the attention of this
Court to the fact that the present petitioner has no criminal



antecedent.

Diary in the present case was called for, which has since been received.

Learned counsel for the State submits that there appears to be an eye-witness in the case who is said to have seen the deceased being pushed by the petitioner from the tempo.

However, considering the story as made out in the prosecution case (F.I.R.) that blood was found on the tempo of the petitioner and the statement of the so-called eye-witness that the petitioner was thrown out of the tempo, there appears to be contradiction in the prosecution case itself.

In view of the such facts and circumstances and the materials available in the case diary, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri Ranjay Kumar, J.M., 1st Class, Masaurhi (Patna), in connection with Masaurhi P.S. Case No.265 of 2017, GR No.848/17, subject to the following conditions:

(1) One of the bailors will be his own relative, namely, father, mother, brother, sister and/or his wife.



(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of his failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjana Mishra, J)

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