IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41812 of 2018

Arising Out of PS.Case No. -132 Year- 2016 Thana -CHAUTHAM District- KHAGARIA

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1. Ramsagar Mishra @ Munna Mishra, Son of Late Suresh Mishra, Resident of Village- Tofir Garhiya, P.S.- Choutham, Dist.- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Bibhuti Narayan, Advocate
For the Opposite Party/s : Mr.Harendra Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 31-07-2018 Heard the parties.

The petitioner seeks anticipatory bail in connection with Chautham P. S. Case No. 132 of 2016, registered for offences punishable under Sections 302, 201 and 120B of the Indian Penal Code.

As per F.I.R., allegation against the petitioner is of killing the grand son of the informant and his dead body was kept in the middle school with a view to conceal him.

Submission of the learned counsel for the petitioner is that the petitioner is not named in the F.I.R. but later on it transpires during course of investigation. It is also submitted that the police after investigation, charge sheet has been submitted three times and none of the charge sheet witnesses discloses the name of the petitioner and after fifteen months of the occurrence, the name of the petitioner transpires. It has also been submitted

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that the loan was taken by the petitioner from the grandfather of the deceased as such, merely on the basis of the suspicion, the petitioner has been made an accused. Further submission of the learned counsel for the petitioner is that during course of investigation, one of the co-accused, Manish Kumar was apprehended by the police and confessed his guilt as also disclosed the name of co-accused Manjeet Kumar and Pinkesh Kumar but no where the name of the petitioner has earlier been mentioned.

Heard learned A.P.P., who opposes the prayer for bail.

Having heard both sides and in view of the facts and circumstances, as discussed above, let the petitioner, above named, surrenders be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Chautham P.S.Case No. 132 of 2016, subject to the conditions as laid down under Section 438 (2) of Cr.P.C. with condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.

(Vinod Kumar Sinha, J)

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