

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9484 of 2018

Arising Out of PS. Case No.-12 Year-2017 Thana- HARSIDHI District- East Champaran

Lalbabu Prasad Kushwaha @ Lalbabu Prasad, Son of Oakil Bhagat @ Wakil Prasad, resident of Village Maghar, P.S. Pakridayal, District East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar

For the Opposite Party/s : Mr. SRI TARUN PRASAD MANDAL

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

4 29-03-2018 Heard learned counsel for the petitioner and the learned
APP for the State.

Petitioner, already in custody, seeks bail in connection with Harsidhi P.S. Case No.12 of 2017, registered under Sections 307/34 of the Indian Penal Code as well as under Section 27 of the Arms Act.

Allegation in brief is that one Sunil Sah called the informant and took him for some purpose and on the way shot at him.

Learned counsel for the petitioner submits that the allegation in the FIR is against one Sunil Sah of killing the deceased. The petitioner is not named in the FIR. Only material transpired against him in this case is the confessional statement of Sunil Thakur wherein he has named the petitioner as one of



the members of the gang engaged in committing theft of vehicles moreover the petitioner is in custody for one year.

Having considered the aforesaid facts and circumstances, petitioner Lalbabu Prasad Kushwaha @ Lalbabu Prasad is directed to 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 12th Additional Sessions Judge, East Champaran, Motihari in connection with Harsidhi P.S. Case No.12 of 2017, giving rise to Sessions Trial No.452 of 2017 with conditions that one of the bailors must be the close family member of the petitioner and the petitioner shall remain physically present on each and every date before the trial court as and when required and if he absents himself on two consecutive dates without any reasonable cause, his bail bond shall liable to be cancelled.

(Arun Kumar, J)

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