

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22332 of 2018

Arising Out of PS.Case No. -1476 Year- 2017 Thana -SASARAM MUFFSIL District- SASARAM (ROHTAS)

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1. BHUTALI SINGH @ AMIT KUMAR @ BHUTALI, Son of Late Jagan Singh, Resident of Village- Bhaisahi Kala, P.S.- Sasaram (M), District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra, Adv.

For the Informant : Mr. Babu Nandan Prasad, Adv.

For the State : Mr. Md. Ashlam Ansari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 23-04-2018

Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 302, 379, 120B/34 of the Indian Penal Code and Section 27 of the Arms Act.

The FIR named accused persons are under suspicion to have committed murder of the husband of the informant. The petitioner is not named in the FIR.

Submission of the learned counsel for the petitioner is that only material against the petitioner is confessional statement of co-accused, namely, Anish Mishra. Petitioner has stated on oath that he has got no criminal antecedent and he is in custody since 12.12.2017. Investigation of the case is



already complete and the petitioner is ready to cooperate with the trial.

Learned counsel for the informant opposed the prayer for bail on two grounds. First that the petitioner is accused in Sasaram Mufassil P.S. Case No. 547 of 2015 which the petitioner has suppressed in the bail petition. Secondly, on the ground that during investigation, it has come that the petitioner was conspirator of the murder for the reason that he was driver of the deceased and he had liaison with other accused regarding whereabouts of the deceased.

Considering the fact that there is no sufficient material for further detention of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Sasaram (M) Police Station Case No. 1476 of 2017, subject to the condition that the petitioner shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

If the trial court would be brought with notice that the petitioner had knowledge about the referred criminal



antecedent then the court below would be at liberty to cancel the bail bond of the petitioner for the reason of suppression of material fact.

(Birendra Kumar, J)

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