

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6536 of 2018

Arising Out of PS.Case No. -213 Year- 2016 Thana -GARDANIBAGH District- PATNA

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Bhola Kumar @ Vikky @ Bhola @ Vikky, Son of Lal Babu Ram, Resident
of Village- Chechaul, P.S.- Naubatpur, District- Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pranav Kumar

For the Opposite Party/s : Mr. Smt. Pushpa Sinha

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 21-02-2018 Heard learned counsel for the petitioner and learned
APP for the State.

This is the second round of litigation. Earlier the prayer
for bail of the petitioner was rejected vide order dated 20.06.2017
passed in Cr. Misc. No. 16696 of 2017.

Petitioner is languishing in judicial custody since
25.09.2016 in connection with Gardanibagh P.S. Case No. 213 of
2016 for offences punishable under Section 302 of the Indian
Penal Code.

The prosecution case, as lodged by the informant, is
that his sister was married ten years back but left her husband and
started staying with the petitioner. On 23.09.2016, the informant
got information that his sister has been murdered and found her



dead in the house which was taken by the petitioner on rent claiming that the deceased was his wife.

It has been submitted by the learned counsel for the petitioner that he is innocent and accept suspicion there are no material against him. He submits that there is no eye witness to the alleged occurrence as there are about 20-21 persons living in the rented house. He submits that charges have already been framed and the trial is yet to begin and undertakes to cooperate in the trial on day to day basis.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged 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 Sub-Judge XIV-cum-A.C.J.M., Patna in connection with Gardanibagh P.S. Case No. 213 of 2016, subject to the conditions that:

- (1) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his



relationship with the petitioner.

(2) Petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Devendra/-

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