

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28611 of 2018

Arising Out of PS.Case No. -359 Year- 2016 Thana -MAJHAULIA District-
WESTCHAMPARAN(BETTIAH)

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1. Samud Alam S/o Sk. Nezamuddin, R/o Vill.- Semra Ghat, P.S.-
Majhauriya, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Matloob Rab, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

5 30-07-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the offences punishable under Sections 363/366A of the Indian Penal Code. Later on offence under Section 302 of the Indian Penal Code was added.

The daughter of the informant had gone to attend the call of nature. However, she did not return. Thereafter, the dead body was found. The post mortem report reveals that death was caused by pressing her neck.

Submission of the learned counsel for the petitioner is that there is no eyewitness of the occurrence. The referred mobile number was not of the petitioner. The petitioner was arrested on suspicion and his confession was recorded by the



police wherein the petitioner confessed his guilt that due to love-affairs with the victim murder was committed. Besides statement before the police, there is no other material and the confession before police has got no evidentiary value. Petitioner is in custody since 15.03.2018. Investigation of the case is closed.

Learned counsel for the informant opposed the prayer for bail.

Considering the nature of material available, in my view, the petitioner deserves bail, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Majhauilya P.S. Case No.359 of 2016, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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