

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.48381 of 2018

Arising Out of PS.Case No. -217 Year- 2015 Thana -SULTANGANJ District- BHAGALPUR

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1. Anish Kumar @ Anish Kumar Singh, Son of Sadanand Mandal, resident of Village- Sharifa, P.S. Bath, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Davendra Kumar Pandey

For the Opposite Party/s : Mr. Sri Surendra Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 01-10-2018 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The Petitioner seeks regular bail in connection with Sessions Trial No. 318 of 2018 arising out of Sultanganj P.S.Case No. 217 of 2015, registered for offences punishable under Sections 302 and 201/34 of the Indian Penal Code.

Allegation as per F.I.R. against the petitioner is that some unknown persons have murdered the nephew of the informant and later on, the name of petitioner transpired on the confessional statement of co-accused.

Submission of the learned counsel for the petitioner is that there is no eye witness to the alleged occurrence nor there is any circumstantial evidence to suggest the implication of the



petitioner in the present case and the petitioner is in custody since 15.03.2018. it is also submitted that similarly situated co-accused person has been granted bail by a Co-ordinate Bench of this Court vide order dated 08.09.2016 passed in Cr. Misc. No. 30464 of 2016.

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

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge- V, Bhagalpur in connection with Sessions Trial No. 318 of 2018 arising out of Sultanganj P.S.Case No. 217 of 2015, subject to the following conditions:-

- i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- ii) The petitioner will not induce any witness or tamper with the evidence.
- iii) It is made clear that if petitioner found involved in



any of the like offences, in future, prosecution is free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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