

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.3638 of 2018

Arising Out of PS.Case No. -142 Year- 2017 Thana -BIHARSHARIF District- NALANDA
(BIHARSHARIFF)

=====

1. Anil Kumar Son of Shushil Kumar Resident of village- Bari Pahari,
Police Station- Laheri, District- Nalanda

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

3 07-03-2018 Heard learned counsel for the petitioner as well as

learned A.P.P. for the State.

The petitioner, already in custody, seeks bail in connection with Sessions Trial No. 460 of 2017 arising out of Bihar P. S. Case No. 142 of 2017, registered under Sections 302/120 (B) of the Indian Penal Code.

The allegation in brief against the petitioner is that two motorcycle born miscreants followed the deceased while going with his wife and killed him by shooting, later on one of the accused, Chandan Kumar was apprehended, who disclosed that he was hired by the petitioner for killing the deceased, who is having illicit affairs with the wife of the deceased and another accused Gautam Kumar fled away.

Learned counsel for the petitioner submits that the petitioner and wife of the deceased are cousins. Except



confessional statement made by apprehended accused, Chandan Kumar, there is no other material against the petitioner. It is further submitted that other co-accused, wife of the deceased said to have conspired with the petitioner, was admitted to bail by a Co-ordinate Bench of the Court vide order dated 08.11.2017 passed in Cr. Misc. No. 48250 of 2017 and on the ground of parity the petitioner seeks bail .

It is further submitted that the petitioner has no criminal antecedent and he is in custody approximately for one year.

Having considered aforesaid facts and circumstances, as stated above, let the petitioner, Anil Kumar, above named , 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 3rd Additional District and Sessions Judge, Biharhsarif in connection with Sessions Trial No. 460 of 2017 arising out of Bihar P.S.Case No. 142 of 2017, subject to the conditions that the petitioner shall be present on every day before the trial court and in case of absence on two consecutive dates without any reasonable cause, his bail bond shall be liable to be cancelled.

(Arun Kumar, J)

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