

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29376 of 2018

Arising Out of PS. Case No.-136 Year-2016 Thana- UDWANTNAGAR District- Bhojpur

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Gautam Kumar Singh @ Gautam Singh, Son of Tarkeshwar Singh, Resident of Village- Masarh, P.S. Udwant Nagar, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh
For the Opposite Party/s : Mr. Matloob Rab, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 18-05-2018 Heard learned counsel for the petitioner and learned APP representing the State.

The petitioner seeks bail in connection with Udwant Nagar P.S. Case No. 136 of 2016 registered for the offences punishable under Sections 302, 201, 34 of the Indian Penal Code.

Allegedly, the mother of the informant after receiving phone call went from the house to return soon but she did not return in the night and her dead body was identified which was removed from the well by police and there were several cut injuries. The informant named the petitioner, his father and mother suspecting their hands in the



crime as earlier they have caused threats and further the father of the petitioner was seen moving in the southern direction of the village and he was seen returning from the southern direction of the village towards his house.

Submission is of false implication and that besides suspicion there is no other material against the petitioner, during investigation also no tangible material has come and the father of the petitioner has already been allowed bail vide criminal miscellaneous no. 2062 of 2017 by order dated 27.02.2017 by another coordinate Bench of this Court vide annexure-2, the petitioner having no criminal antecedent is suffering in custody since 03.03.2018 and, as such, the petitioner deserves sympathetic consideration.

Learned A.P.P. fairly submits that similarly situated co-accused Tarkeshwar Singh has been allowed bail.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs.



10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur, Ara, in connection with Udwant Nagar P.S. Case No. 136 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the Court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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