

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18082 of 2018

Arising Out of PS.Case No. -860 Year- 2017 Thana -KHAZANIHAT District- PURNIA

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1. Jitendra Kumar @ Jito @ Jitendra Kumar Ram, S/o Gujo Ram,
2. Diwakar Kumar Ram @ Deepak Kumar Ram S/o Phulo Ram, Both R/o
Village- Putani Chowk Lalganj, P.S.- K. Hat (Maranga) District- Purnea.
..... Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mr. Sir Pramod Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

3 16-05-2018 Heard learned counsel for the petitioners, informant
and learned APP for the State.

This is a case registered under Sections 364,379 of
the Indian Penal Code and later on Section 302 IPC has been
added.

Learned counsel for the informant opposes the prayer
for bail.

It is submitted by the petitioners' counsel that their
names have surfaced in this case on the basis of statement of co-
accused Bechan Yadav who has been allowed bail in Cr. Misc.
No. 24398 of 2018 vide order dated 27.04.2018.

This Court finds that the case of the petitioners who
have no criminal antecedent is on better footing than that of Bechan
Yadav for the purposes of grant of bail in as much as from the
house of the said Bechan Yadav some incriminating material has



been recovered including knife as submitted by the counsel for the informant and the petitioners are entitled to parity with the said Bechan Yadav. Petitioner nos. 1 and 2 are in jail custody since 25.11.2017 and 26.11.2017 respectively.

In the facts and circumstances of the case, prayer for bail of the petitioners is allowed. Let the petitioners above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Purnea in K. Hat P.S. Case No. 860 of 2017 subject to the conditions :

- (i) That one of the bailors will be a close relative of the Petitioners who will give an affidavit giving genealogy as to how he is related with the Petitioners. The bailor will also undertake to inform the Court if there is any change in the address of the Petitioners.
- (ii) That the Petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail will be liable to be cancelled.

Prakash/-

(Madhuresh Prasad, J)

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