

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37245 of 2018

Arising Out of PS.Case No. -14 Year- 2018 Thana -TELHARA District- NALANDA
(BIHARSHARIFF)

- =====
1. Vikash Das, S/o Late Nageshwar Das, R/o Vill.- Nirpura, P.S.- Makhdoompur, District- Jehanabad.
 2. Indar Das @ Indal Das S/o Late Mushar Das, R/o Vill.- Amsara, P.S.- Vishunganj, District- Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 29-08-2018 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are in custody in connection with
Telhara P.S. Case No.14 of 2018, a case under Section 302/34 of
the Indian Penal Code.

The FIR was lodged on recovery of dead-body of
the son of the informant. Co-accused Baleshwar Ravidas and
unknown person are suspected to have committed the crime
aforesaid. The petitioners are not named in the FIR; rather their
name has been surfaced in the confessional statement of FIR
named accused Baleshwar Ravidas.

Submission of the learned counsel for the petitioners



is that the petitioners are in custody since 17.03.2018. The petitioner No.1 has got no criminal antecedent and petitioner No.2 has one criminal case against him. He further submits that investigation of the case is already complete and only material is confessional statement of co-accused before the police.

Learned counsel for the informant opposed the prayer for bail on the ground that besides the confessional statement of co-accused the tower location of mobile phone of the petitioners reveals that they were near the place of occurrence at the time of occurrence. Moreover, the prosecution evidence is going on and the petitioners are threatening the witnesses to not to depose in the case.

So far allegation against the petitioners is concerned; there is no substantial evidence to keep them in custody as under trial prisoner. Hence, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Telhara Police Station Case No.14 of 2018, **with condition that they shall fully cooperate with the trial and if the trial Court would be satisfied that petitioners are found tampering with the evidence, the learned Court-**



**below shall be at liberty to cancel the bail bond of the
petitioners.**

(Birendra Kumar, J)

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