

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17187 of 2018

Arising Out of PS.Case No. -70 Year- 2017 Thana -KHUDAGANJ District- NALANDA
(BIHARSHARIFF)

=====

1. Amit Kumar, S/o Arun Kumar @ Arun Yadav,
2. Dhananjay Kumar S/o Arun Kumar @ Arun Yadav,
3. Pawan Kumar S/o Ajay Yadav,
4. Jyoti Kumar @ Jyati Kumar S/o Girija Yadav, Both are R/o Village-
Mohan Bagicha, P.S.- Makhdumpur in the District of Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Navin Sharma

For the Opposite Party/s : Mr. Sri Narsingh Tanti

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 26-06-2018 Heard the parties.

It is submitted that the petitioner no.4 (Jyoti Kumar @ Jyati Kumar) has been arrested during the pendency of this application. In such view of the matter, application against the petitioner no.4 is dismissed as withdrawn.

The petitioners are apprehending their arrest in connection with Khudaganj P.S.Case no.70 of 2017, registered for offences punishable under Sections 302, 201, 120(B)/34 of the Indian Penal Code.

Allegation against the petitioner nos. 1, 2 and 3 is that one of the co-accused had called the deceased for measurement of the



land and he was followed by the petitioner and other accused persons and thereafter they killed the deceased.

Submission of the learned counsel for the petitioners is that the informant is not eye witness of the occurrence and except suspicion, there is nothing against the petitioners.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above let the petitioner nos. 1 Amit Kumar, 2. Dhananjay Kumar and 3. Pawan Kumar surrender before the court below within a period of six weeks from the date of order and on surrender he will be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM-Ist, Hilsa, Nalanda in connection with Khaudaganj P.S.Case no.70 of 2017 subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of their bail bond.
- (iv) If any serious incriminating material comes during the investigation, the prosecution shall move for



cancellation of their bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

chn/-

U		T	
---	--	---	--

