

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65695 of 2018

Arising Out of PS.Case No. -704 Year- 2017 Thana -BIHTA District- PATNA

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Laxman Kumar @ Laxman @ Manish Son of Sri Bisun Prasad@ Bisun
Ram Resident of Mohalla Ghagha Ghat, P.S. Sultanganj, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Adv.

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 06-11-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner seeks bail in Bihta P.S. Case No. 704/2017,
registered for the offences punishable under Sections 326, 302 and
34 of the Indian Penal Code and section 27 of the Arms Act.

Allegation is of committing murder of informant's
brother by fire-arm.

It has been submitted that petitioner has falsely been
implicated in this case. He is not named in the F.I.R. No specific
allegation is against petitioner. Informant claimed that he would
identify the accused persons, but till date no T.I.P. has been held.
Name of petitioner has surfaced in this case on the confession of
co-accused Prince Kumar. Except confession of co-accused there



is nothing against petitioner.

Petitioner is in custody since 18.11.2017.

Considering the facts aforesaid, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Additional District & Sessions Judge-II, Danapur, Patna in connection with Bihta P.S. Case No. 704/2017, subject to the conditions:

- (1.) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2.) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court.
- (3.) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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