

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54054 of 2018

Arising Out of PS.Case No. -142 Year- 2018 Thana -SHEOHAR District- SHEOHAR

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1. Niraj Kumar, Son of Ramprit Sah, resident of Village - Bisahi, P.S.
Sheohar, District - Sheohar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Devendra Kumar

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 02-11-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 302 and 120B of the Indian Penal Code.

The FIR was lodged on recovery of dead body of grandson of the informant whose murder was committed by some unknown person. The FIR further discloses that one Ambikesh Singh had taken the deceased with him and near Bisahi Chowk deceased was seen with Ambikesh Singh, Kundan Kumar and Nikhil Kumar.

Submission is that name of the petitioner has surfaced in the exculpatory confession of the named accused persons. There is no other material in the impugned order. It is mentioned in the



impugned order that there are four criminal cases against the accused persons. Paragraph 64 of the case diary would reveal that those cases are against co-accused Rajan Sah who was also petitioner before the court below.

Considering the fact that there is no substantial material against the petitioner and petitioner has stated on oath that he has got no criminal antecedent, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Sheohar Police Station Case No. 142 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

Kundan/Rajan

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