

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70900 of 2018

Arising Out of PS. Case No.-69 Year-2018 Thana- GWALPARA District- Madhepura

Sanjeev Kumar, Son of Yogendra Mandal, Resident of Village- Sahagnathpur,
Police Station- Ghailarh, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal, Advocate

For the Opposite Party/s : Mr. Sri Kalyan Shankar (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 11-12-2018 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Gwalpara (Arar O.P.) P.S. Case No. 69 of 2018 registered for the offences punishable under Sections 302, 201, 120(B)/34 of the Indian Penal Code.

Informant who is Chaukidar, has alleged in his written report that one dead body was recovered from the bank of Sursar river under Raviya village appears to have been murder by pressing the neck and subsequently thrown in the river.

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been falsely implicated in this case. Petitioner is not named in the F.I.R. The name of the petitioner has surfaced on the basis of confessional statement of co-accused Suraj Kumar. Similarly placed co-accused have been granted bail by this court and by



co-ordinate bench of this court in Cr. Misc. No. 55879 of 2018, Cr. Misc. No. 61976 of 2018 and Cr. Misc. No. 59062 of 2018 vide order dated 10.10.2018, 01.11.2018 and 28.11.2018 respectively. Petitioner has no criminal antecedent and is in custody since 22.05.2018.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Class Judicial Magistrate, Uda-Kishunganj (Madhepura), in connection with Gwalpara (Arar O.P.) P.S. Case No. 69 of 2018, subject to 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 and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.
- (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)

Rajiv/Manoj

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

