

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29897 of 2018

Arising Out of PS. Case No.-214 Year-2016 Thana- BIBHUTIPUR District- Samastipur

Ravindra Kumar @ Lalo, S/o Vindeshwar Mahto @ Vindeshwar Singh,
Resident of Village- Banhaiti, Police Station- Bibhutipur, District-
Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhimanyu Sharma, Advocate

For the Opposite Party/s : Mr. Pawan Kumar Chaurasiya, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 27-06-2018 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner had earlier moved for bail, which
was rejected vide order dated 24.08.2017 passed in Cr. Misc.
No. 33557 of 2017. Petitioner is languishing in judicial custody
since 14.12.2016 in connection with Sessions Trial No. 09 of
2017, arising out of Bibhutipur P.S. Case No. 214 of 2016
registered for the offence punishable under Section 302 and
other allied sections of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that
his brother's brother-in-law, Mukesh Kumar had gone out of the
house on the occasion of Vishwakarma Puja and did not return.
His dead body was found in a ditch near the road side. It is



alleged that some persons along with petitioner, who were on inimical terms, had killed Mukesh Kumar.

It has been submitted by the learned counsel for the petitioner that he is innocent, not named in the First Information Report and on investigation his name surfaced. He submits that most of the accused have been granted the privilege of bail by this Court and even on the last occasion while rejecting the prayer for bail, petitioner was given liberty to renew his prayer for bail after six months and in the meantime, trial court was directed to expedite the trial.

A report has been received from the Additional District and Sessions Judge, Rosera, District Samastipur that trial has commenced, but it is likely to be concluded within four months.

However, learned A.P.P. for the State opposes the prayer for bail stating therein that although there is no eye-witness to the alleged occurrence, but his confessional statement before the police made him accused in the present case.

Considering the facts and circumstances and the materials on record, let the petitioner, named above, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the



satisfaction of the learned Additional Sessions Judge, Rosera, Samastipur in connection with Sessions Trial No. 09 of 2017, arising out of Bibhutipur P.S. Case No. 214 of 2016, subject to the conditions that:

(1) One of the bailors would be close relative of the petitioner having sufficient immovable properties, who will file an affidavit stating his relationship with the petitioner.

(2) The petitioner will appear before the learned Court below on each and every date and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J.)

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