

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4043 of 2019

Arising Out of PS. Case No.-144 Year-2018 Thana- MADHUBAN District- East Champaran

Rajan Kumar aged 23 years Male, S/O Lakhindra Mahto Resident of Village
– Pundar PS Madhuban District East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 13-03-2019 Heard learned counsel for the parties.

Petitioner who is in custody seeks bail in a case registered for the offence punishable under Sections 302/34 of the Indian Penal Code.

Allegation against the petitioner is of killing the Father-in-Law of the Informant after putting Gamchha around his neck along with FIR named accused.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case due to previous enmity. From perusal of the post mortem report



annexed as Annexure-2 to this petition it appears that neither external nor internal injury has been found on the person of the deceased and the Viscera has been sent to laboratory to know the exact cause of death. Similarly, situated co-accused persons have been granted bail by a co-ordinate bench of this Court vide order dated 05.02.2019 in Criminal Miscellaneous No. 4522 of 2019. Petitioner has got no criminal antecedent and is in custody since 19.11.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **Madhuban P.S. Case No. 144 of 2018**, with following 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 the Court and his/her absence on two consecutive dates without sufficient reason,



his/her 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)

ranjan/-

U			
---	--	--	--

