

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4607 of 2019

Arising Out of PS. Case No.-254 Year-2018 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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Md. Sheru Son of Md. Kalim, Resident of Bari khanjarpur, Madarsa Lane,
P.S.- Barari, District- Bhagalpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiwesh Chandra Mishra
For the Opposite Party/s : Mr. Sunil Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 30-01-2019 Heard learned counsel for the petitioner and State.

The petitioner is in custody in connection with Kotwali (Tilkamanjhi) P.S. Case No. 254 of 2018 (S.T. No. 650 of 2018) registered for the offence under Sections 302, 120B/34 of the Indian Penal Code and 27 of the Arms Act.

Learned Counsel appearing on behalf of the petitioner submits that petitioner has no criminal antecedent. Learned counsel for the petitioner would submit that the name of the petitioner surfaced on subsequently in this case during the course of investigation and confessional statement of this petitioner was recorded by the police. He next contended that on the basis of confessional statement of this petitioner other persons were apprehended by the police. Learned counsel



submits that there is no allegation of firing against this petitioner. He submits that petitioner is in custody since 10.5.2018 and after completion of the investigation police has submitted charge-sheet.

Learned counsel appearing on behalf of the informant would submit that petitioner is not been found in CCTV as the assailant but he has played role in the commission of the crime and as such the petitioner does not deserve bail. He submits that trial of the instant case has commenced.

Considering the fact that petitioner has no criminal antecedent and he has remained in custody at pre-trial stage for 8 months, the Court is inclined to grant bail, let the petitioner named above, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Bhagalpur in S.T. No. 650 of 2018 arising out of Kotwali (Tilkamanjhi) P.S. Case No. 254 of 2018, subject to the condition (i) that the petitioner shall appear on each and every date fixed by the Court below, (ii) in the event petitioner fails to appear on two consecutive date without any cogent reason (iii) and in the event any complaint is received that petitioner is indulged in terrorizing the witness or tampering the evidence the



Court below shall be at liberty to cancel the bail bonds of the
petitioner.

(Anil Kumar Upadhyay, J)

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