

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12014 of 2019

Arising Out of PS. Case No.-443 Year-2017 Thana- BEGUSARAI MUFFASIL District-
Begusarai

=====

SANTOSH PODDAR Son of Shankar Poddar Resident of - Teghra Bazar,
Teghra, P.S.- Teghra, District - Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pritish Kumar Lal

For the Opposite Party/s : Mr.Jagdhari Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 29-04-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Muffasil P.S.Case nO.443 of 2017 , registered for offences punishable under Sections 302, 201/34 of the Indian Penal Code.

Allegation as per FIR is that the petitioner and other accused persons have taken the son of the informant and thereafter he did not come and the dead boy was recovered on the next day.

Submission of the learned counsel for the petitioner is that except that the deceased had gone with the petitioner there is absolutely nothing against him and except that nothing has come against him and even during the course of investigation and though the learned Sessions Judge has mentioned about the confessional statement of the petitioner



but para 90 of the case diary discloses that there is confessional statement of Santosh Kumar and that does not disclose hand of the petitioner.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of order be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Begusarai in connection with Muffasil P.S.Case no.443 of 2017 subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure with further condition that if any serious incriminating materials comes against the petitioner, the prosecution is at liberty to move for cancellation of the bail bond of the petitioner.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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