

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15622 of 2019

Arising Out of PS. Case No.-93 Year-2008 Thana- KALYANPUR District- East Champaran

BANTILAL SAH, Son of Late Puran Sah, Resident of village- Chandrahiya,
P.S.-Muffasil Motihari, District-East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 29-05-2019

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner seeks bail in **Kalyanpur P.S. Case No.93 of 2008** instituted for the offence under Section(s) 302, 201/34 Indian Penal Code.

Counsel for the petitioner submits that petitioner is not named in the First Information Report. Name of the petitioner has come during investigation in the confessional statement of co-accused, Rameshwar Sah, which is also mentioned in the impugned order.

As per written report, one dead body was recovered near the bridge of *Gandak* canal. The Additional Sessions Judge has mentioned in the impugned order that in para 40 and 41 of the Case Diary, the wife of the deceased, Phulkumari Devi, and



brother of the deceased, respectively have stated that petitioner and other accused persons had taken the deceased, but he did not return. It is also mentioned in the impugned order that in para 1 of the supplementary case diary name of the petitioner has been taken by co-accused, Rameshwar Sah, in his confessional statement.

In such circumstances, besides name of the petitioner having been taken by co-accused, there is no other specific allegation against the petitioner.

Petitioner is in custody since 18.12.2018 having clean antecedents.

In the facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **9th Additional Chief Judicial Magistrate, East Champaran, Motihari**, in connection with **Kalyanpur P.S. Case No.93 of 2008**, subject to the condition that both the bailors shall be close relative of the petitioner.

(Sanjay Priya, J)

J. Alam/-

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