

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15889 of 2019

Arising Out of PS. Case No.-60 Year-2018 Thana- KORMA District- Sheikhpura

MANTU KUMAR Son of Dhyani Singh Resident of Village Abgil, P.S.-
Korma, District- Sheikhpura.

... .. Petitioner

Versus

The State of Bihar Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Devendra Prasad Singh, Advocate
For the Opposite Party : Mr.Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

4 20-05-2019 Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for the informant.

The petitioner seeks bail in connection with Korma
P. S. Case No. 60 of 2018 registered under Sections 302/34 of
the Indian Penal Code and 27 of the Arms Act.

Learned counsel for the petitioner submitted that
the alleged occurrence took place on 16.09.2018 at 10 p.m. but
the informant being an eye witness informed the police on
18.09.2018 at 2.30 p.m. It would be manifest from the case-
diary that on 16.09.2018 itself at 10.30 p.m., the police received
information through mobile and a sanaha entry was made.
Thereafter, the police reached at the place of occurrence on the
same date, made inquest report in front of the house of the



Sukum Pandit and, on query, villagers informed that the dead body is of their villager. The dead body was then sent for post mortem examination with the informant and other villagers. After the post mortem examination, the police asked the informant and others to give written report, but the same was not given. They took the dead body saying that after cremation the first information report would be lodged. Further, on 17.09.2018, the police asked the informant and others to give written report but to no avail. On 18.09.2018, for the first time, the written report was submitted to the police on the basis of which the FIR has been registered.

Learned counsel for the State and learned counsel for the Informant have opposed the prayer for grant of bail to the petitioner. Learned counsel for the State admitted that the submissions made by the petitioner are found mentioned in paragraph-4 of the case-diary.

Having regard to the submissions made by the petitioner as recorded hereinabove, which has not been controverted by the learned counsel for the State, he is directed to be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate,



Sheikpura in connection with Korma P. S. Case No. 60 of 2018,
subject to the following conditions:-

(a) that the petitioner shall attend court in
accordance with the conditions of the bond
executed,

(b) that the petitioner shall not commit an
offence similar to the offence of the present case,
and

(c) that the petitioner shall not directly or
indirectly make any inducement, threat or promise
to any person acquainted with the facts of the case
so as to dissuade him from disclosing such facts to
the Court or to any police officer or tamper with the
evidence.

(Ashwani Kumar Singh, J)

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