

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17758 of 2019

Arising Out of PS. Case No.-418 Year-2018 Thana- KUDHNI District- Muzaffarpur

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BASANT KUMAR @ BASANT BHAGAT Son of Maheshwar Bhagat,
Resident of Village - Sangram, P.S.- Kudhani, Distt.- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner	:	Mr.Rajendra Pd. Sah with Mr. Sunil Pd. Singh Advts.
For the State	:	Ms.Pushpa Sinha APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

6 12-12-2019 Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in **Kudhani P. S. Case No. 418 of 2018**, instituted for the offence under Section(s) 394 and 302 Indian Penal Code. Later on, Section 414 of the Indian Penal Code was added.

It is submitted that other co-accused, namely, Karunesh Mishra @ Dhanna, Santosh Paswan and Sujit Sharma @ Sujit Kumar have all been granted the privilege of bail by Co-ordinate Benches of this Court in Cr. Misc. Nos. 163 of 2019, 18856 of 2019 and 78375 of 2018 respectively. The substance of allegation against the petitioner and others said co-accused persons are one and the same. They have all been implicated



merely on the basis of suspicion, though the FIR is against unknown persons. Their implication is on the basis of information received from the spy. Other than confessional statement of co-accused persons and the petitioner's own confessional statement, there is nothing to connect the petitioner with the occurrence. The petitioner, by now, has been in custody since 15.2.2019. The petitioner is on bail in other three cases as per details disclosed in paragraph no. 3 of the bail petition.

Considering the aforesaid, 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 **Additional Chief Judicial Magistrate-cum- Sub Judge 3rd West Muzaffarpur**, in connection with **Kudhani P. S. Case No. 418 of 2018**, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail



bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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