

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77822 of 2018

Arising Out of PS. Case No.-312 Year-2016 Thana- MASAUDHI District- Patna

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Deepak Kumar S/o Late Ajay Kumar, Resudent of Village- Kharjama, P.S.
Masaurhi, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satish Chandra, Advocate

For the Opposite Party/s : Mr.Sri Uday Pratap Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 03-01-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Masaurhi P.S. Case No. 312 of 2016 registered
for the offences punishable under Sections 302/120(B) of the
Indian Penal Code.

Informant is the second wife of the deceased Ajay
Kumar, who in his fardbeyan has stated that she was informed
that her husband Ajay Kumar has been found murdered and she
has alleged that F.I.R. named accused have killed him.

It has been submitted on behalf of the petitioner
that he is innocent and has committed no offence. He has been
falsely implicated in this case by her step mother only on
account of property dispute. There is no eye-witness and he has



been named in the F.I.R. only on the basis of suspicion. Petitioner is the son of deceased Ajay Kumar. It has been further submitted that similarly placed co-accused Birendra Yadav, Ghmandi Yadav and Bhura Yadav have been granted anticipatory bail by co-ordinate bench of this court passed in Cr. Misc. No. 43219 of 2018 vide order dated 06.10.2018.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Masaurhi, in connection with Masaurhi P.S. Case No. 312 of 2016, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.
- (3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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