

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78779 of 2018

Arising Out of PS. Case No.-212 Year-2018 Thana- BIBHUTIPUR District- Samastipur

Lalu Kumar Sah @ Lalu Sah, son of Alaabat Sah, resident of village- Desari,
P.S. Bibhutipur, district- Samastipur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Singh, Adv.

For the Opposite Party/s : Mr.Smt. Gulnar Begam (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 21-02-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Bibhutipur P.S. Case No. 212 of 2018 registered for the offences punishable under Sections 147, 148, 323, 326, 307/34 of the Indian Penal Code.

Informant has alleged that his elder brother after taking meal had gone outside the house but thereafter did not return and even after much search his whereabouts cannot be ascertained. On 18.07.2018 he received an information that a dead body is lying on the bank of river and he informed the police and thereafter FIR was instituted against unknown persons.

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 on the basis of his self confession, except his own confession there is no any other incriminating material against petitioner. He has no criminal antecedent and is in custody since 20.07.2018.

Considering the aforesaid facts 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 A.C.J.M., 1st Rosera, Samastipur, in connection with Bibhutipur P.S. Case No. 212 of 2018, 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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