

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1901 of 2019

Arising Out of PS. Case No.-57 Year-1997 Thana- ISLAMPUR District- Nalanda

Karu Prasad, son of Bal Kishun Prasad, resident of village Chandanpura, P.S. Islampur, Distt. Nalanda.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Advocate.

For the Opposite Party/s : Smt. Nirmala Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 15-01-2019 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Islampur P.S. Case No. 57 of 1997 (Sessions Trial No. 812 of 2010/490 of 2018), instituted for the offence under Section 302 of the Indian Penal Code and Section 27 of the Arms Act.

In the written report it is alleged that husband of the informant went with Amir Gope on 8.5.1997. The informant learnt on 10.5.1997 that dead body of her husband is lying in *Khanda* situated near Pati Bigha. The informant raised suspicion against petitioner and other co-accused persons of committing murder of her husband.

Counsel for the petitioner submits that there is no eye witness of the occurrence. The informant has taken name



of this petitioner merely on suspicion due to enmity. He further submits that co-accused Kamlesh Prasad with similar allegation has already been granted bail by coordinate Bench of this Court vide order dated 18.12.2018 passed in Cr. Misc. 76093 of 2018.

Petitioner is in custody since 28.8.2018 having clean antecedent.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner 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 learned Additional Sessions Judge-III, Hilsa, Nalanda, in connection with Islampur P.S. Case No. 57 of 1997 (Sessions Trial No. 812 of 2010/490 of 2018), subject to the condition that both the bailors will be the close relatives of the petitioner.

(Sanjay Priya, J)

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