

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78936 of 2018

Arising Out of PS. Case No.-219 Year-2018 Thana- KHAJANCHI HAT District- Purnia

Badal Kumar, S/o Sri Upanand Das, R/vill-Refuji Colony, Vinova Gram, P.S-
Jankinagar, District -Purnea.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Anand, Adv.

For the Opposite Party/s : Mr.Smt. Veena Rani Prasad. (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 07-03-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Sessions Trial No. 370 of 2018/CIS No. 370 of 2018 arising out of K. Hat P.S. Case No. 219 of 2018 registered for the offences punishable under Sections 394 and 302 of the Indian Penal Code.

Informant has stated in his fardbeyan that he received an information from his sister in the morning that his mother has died in the night and upon receiving such information he came to Purnea from Delhi and found his dead mother lying in the *Baramda* and also found injury on her person. It has been alleged that she has been killed by unknown criminals and her jewellery has been looted.



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 confessional statement made by co-accused Bablu Kumar. The so-called articles recovered from his house belongs to his family members and are not the looted article. It has been further submitted that said Bablu Kumar disclosed the name of petitioner as accomplice in this case has been granted bail by co-ordinate bench of this court as contained in Annexure 2. Petitioner has no criminal antecedent and is in custody since 13.05.2018.

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 Sessions Judge, Purnea, in connection with Sessions Trial No. 370 of 2018/CIS No. 370 of 2018 arising out of K. Hat P.S. Case No. 219 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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