

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78821 of 2018

Arising Out of PS. Case No.-363 Year-2017 Thana- AHYAPUR District- Muzaffarpur

1. Alok Kumar @ Jhunni
2. Munna Kumar, Both Sons of Kamlesh Mehta and Resident of Mohalla-Rambag, P.S.- Mithanpura, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Sanjay Kumar Singh, (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 08-02-2019 Heard learned counsel for petitioners and learned counsel for the State.

Petitioners, who are in custody, seek bail in connection with Ahiyapur P.S. Case No. 363 of 2017 registered for the offences punishable under Sections 302, 201 of the Indian Penal Code.

Informant who is Chaukidar has alleged that on 21.05.2017 at about 7:15 A.M. he got information and thereafter reached said place and saw a dead body is lying in the lichi orchard of Droga Rai.

It has been submitted on behalf of the petitioner that they are innocent and have committed no offence. They have been falsely implicated in this case on the basis of



suspicion. There is no eye-witness of the occurrence. Petitioners are not named in the F.I.R. Similarly placed co-accused have been granted bail passed in Cr. Misc. No. 58537 of 2017 via order dated 18.12.2017 as contained in Annexure- 2. Petitioners are in custody since 05.09.2018.

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.-cum-Sub-Judge, 10th Muzaffarpur, in connection with Ahiyapur P.S. Case No. 363 of 2017, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioners 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 their absence on two consecutive dates without sufficient reasons, their bail bond shall be cancelled by the court below.
- (3) If the petitioners tamper 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 petitioners.

(S. Kumar, J)

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