

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35744 of 2019

Arising Out of PS. Case No.-24 Year-2019 Thana- BHAGWANPUR District- Kaimur
(Bhabua)

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KABINDAR @ KABINDAR BIND S/o Paramhans Bind R/o village- Orgai,
P.S.- Bhagwanpur, District- kaimur at Bhabua

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Tribhuwan Narayan
For the Opposite Party/s : Mr.Rabindra Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 30-08-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 302/34 of the Indian Penal
Code.

As alleged in the F.I.R., the briefly stated facts of the
case is that in the previous night of the occurrence Vivek Kumar
@ Vickky went to attend Tilak ceremony of his friend but in the
morning his dead body having injury by sharp weapon has been
found by the side of canal. The informant suspected the hands of
one Deomuni Bind in the commission of the alleged murder as
the marriage of the deceased which was earlier negotiated with
the daughter of Deomuni Devi was turned down but despite that



the daughter of Deomuni Bind and the deceased were in contract on mobile.

Learned counsel for the petitioner submits that the petitioner is not named in the F.I.R., bears no criminal antecedent and he is languishing in judicial custody since 15.03.2019. He submits that the charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner. It is further submitted that the petitioner has been made accused on suspicion as the statement of Soni Kumari fiancée of the deceased Bikki Bind who is said to be disclosed that her brother and his friend Kabindra Bind (petitioner) had seen her along with Bikki Bind.

In the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-V, Kaimur at Bhabua in connection with Bhagwanpur Police Station Case No. 24 of 2019(G.R. No. 392 of 2019), subject to the conditions that:

(I) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.



(II) 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.

(III) 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.

(Anjani Kumar Sharan, J)

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