

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64206 of 2018**

Arising Out of PS. Case No.-41 Year-2017 Thana- NIRMALI District- Supaul

Shailendra Kamat @ Salendra Kamat son of Bahadur Kamat, resident of
Village- Jarouli, P.S.- Nirmali, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baleshwar Kamat

For the Opposite Party/s : Mr.Sri Prem Kumar Jha

**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER**

5 31-07-2019 Heard learned counsel for the petitioner and the

State.

The petitioner seeks bail in **Sessions Trial No. 192
of 2018 arising out of Nirmali P.S. Case No. 41 of 2017**,
instituted for the offence under Section(s) 302, 201, 379 and
120(B) of Indian Penal Code.

Counsel for the petitioner submits that petitioner is
in custody since 22.5.2017. Earlier prayer for bail of the
petitioner was rejected by coordinate Bench of this Court vide
order dated 30.3.2018 passed in Cr. Misc. 11355 of 2018 with
liberty to renew his prayer for bail after framing of charge. He
further submits that charge has already been framed by order
dated 28.8.2018 (Annexure-3).

Counsel for the petitioner submits that there is no



allegation of any specific overt act against the petitioner. Mere suspicion has been raised against him being the last seen with the deceased.

Report was called for from the court below which has been received. From the report it appears that after framing of charge four witnesses have been examined.

Considering the aforesaid facts and circumstances of the case, prayer of the petitioner for grant of bail 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 District & Sessions Judge, Supaul**, in connection with **Sessions Trial No. 192 of 2018 arising out of Nirmali P.S. Case No. 41 of 2017**, subject to the condition that both the bailors will be close relatives of the petitioner with further conditions which are as follows:

(i) Petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court (ii) In absence on two consecutive dates without any valid reason, the bail bonds of the petitioner will liable to be cancelled and (iii) if petitioner tampers with the evidence or the witnesses of the case, in that event, prosecution will be at liberty to move for



cancellation of bail of the petitioner.

(Sanjay Priya, J)

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