

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47416 of 2019**

Arising Out of PS. Case No.-8 Year-2019 Thana- BACHHWARA RAIL P.S. District-
Begusarai

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Jitendra Kumar Son of Gulzari Lal Sahu @ Gulzari Lal Sah Resident of
Village - Farchivan Govindpur- 02, P.S.- Bachhawara, District - Begusarai,
presently residing at village - Jhamatiya, ward no. 12, P.S.- Bachhawara,
Dist.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Advocate
For the Opposite Party/s : Mr.Harendra Prasad, APP

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

4 24-10-2019 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in **Bachhawara Rail P.S.**

Case No. 8 of 2019, registered for the offences punishable
under Sections 302, 201 and 34 of the Indian Penal Code.

Prosecution case in short is that some unknown
persons has committed murder of Manish Kumar, the son of the
informant and placed the dead-body on the railway track with a
view to show the death as train accident.

It is submitted by learned counsel appearing on behalf
of petitioner that petitioner has falsely been implicated in this
case. F.I.R is against unknown. Name of this petitioner has
come in this case on the basis of confessional statement of the
co-accused Manish Kumar, who has been granted bail by a
coordinate bench of this court vide order dated 29.08.2019



passed in Cr. Misc. No. 52844 of 2019. Charge-sheet has already been submitted. Petitioner is in custody since 13.06.2019 having clean antecedent.

Considering the facts aforesaid, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000 (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned **Railway Judicial Magistrate, Barauni, Begusarai** in connection with **Bachhawara Rail P.S. Case No. 8 of 2019**, subject to the following conditions:-

(i) The 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 the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) 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.

(Prabhat Kumar Singh, J)

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