

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60764 of 2019

Arising Out of PS. Case No.-2 Year-2018 Thana- SANOKHAR District- Bhagalpur

DEBI LAL MURMU @ DEBI RAM MURMU, aged about 50 years, Male,
son of S/o Late Lakhan Murmu, R/o village- Jafra, P.S.- Sanokhar, District-
Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Uday Pratap Singh (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 25-09-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with S.T. No. 538 of 2018, G.R. No. 324 of 2018
arising out of Sanokhar P.S. Case No. 02 of 2018 registered
for the offences punishable under Sections 302, 201/34 of the
Indian Penal Code.

Informant in his written report has stated that on
02.01.2018 at about 4:00 P.M., when Randhir Singh (deceased)
along with Vivekanand Singh @ Guddu Singh and Dhiraj
Kumar Bharti went to sell the fish at village Jafar then the
petitioner along with other co-accused persons caught Randhir
Singh. Vivekanand Singh @ Guddu Singh and Dhiraj Kumar



Bharti fled away from there and narrated the whole story to the informant upon which informant along with them reached village Jafar searching his brother where he was informed that Randhir Kumar Singh (deceased) had left the place and thereafter the dead body of Randhir Kumar Singh (deceased) was recovered from the bank of Chonha river near village Jafar.

It has been submitted on behalf of the petitioner that petitioner has earlier moved this Court for bail vide Cr. Misc. No. 38159 of 2018 which was rejected on 23.08.2018. Petitioner is innocent and has been falsely implicated in this case due to village rivalry and suspicion only. Petitioner has no criminal antecedent and is in custody since 05.01.2018.

Considering the aforesaid facts and circumstances of the case, 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.D.J. 1st-cum-Special Judge, POCSO Act, Bhagalpur, in connection with S.T. No. 538 of 2018, arising out of Sanokhar P.S. Case No. 02 of 2018 with following 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 present on each and every date fixed by the court and his absence on two consecutive dates without proper and valid reason trial court shall have liberty to cancel his bail bond.

(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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