

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77834 of 2018

Arising Out of PS. Case No.-57 Year-1997 Thana- ISLAMPUR District- Nalanda

Ram Sewak Prasad Son of late Kailash Prasad Resident of village -
Kharaharapar, P.S. - Islampur, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh

For the Respondent/s : Mr.Sri Shailendra Kumar -2

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 15-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Islampur P.S. Case No. 57 of
1997 registered for the offence punishable under Sections 302 of
the Indian Penal Code and Section 27 of the Arms Act.

Allegation against the petitioner is of committing
murder of the husband of the informant along with F.I.R. named
accused and throwing the dead body in Khandha.

It has been submitted on behalf of the petitioner that
he is innocent and has been falsely implicated in this case. It has
been further submitted that the informant has raised suspicion
against the petitioner in the F.I.R. Police after investigation had
found the petitioner to be innocent and had submitted final
form against him. Petitioner has no criminal antecedent and he
is in custody since 28.08.2018. Similarly placed co-accused



Kamlesh Prasad has already been granted bail by this Court vide order dated 18.12.2018 passed in Cr. Misc. No.76093 of 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/- with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-III, Hilsa, Nalanda in connection with islampur P.S. Case No. 57 of 1997, consequently S.T. No.812/10/490/18 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 properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(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)

Sanjay/-

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