

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61299 of 2019

Arising Out of PS. Case No.-47 Year-2019 Thana- BIND District- Nalanda

Mantu Ram, Son of Balmiki Ram, Resident of Village - Sohra, P.S.- Korma,
Dist.- Shekhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jagannath Prasad
For the Opposite Party/s : Mr. Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-12-2019 Heard learned counsels for the petitioner and the State.

The petitioner is languishing in custody since 30.05.2019 in a case registered for the offences punishable under Sections 302, 201 and 120B/34 of the IPC.

The prosecution case is that three days prior to the lodging of the present case, co-accused Sunil Prasad took the husband of the informant and got him assaulted with fists and slaps by co-accused Naresh Jamadar. On the date of occurrence, at about 3 P.M., co-accused Punjabi Ram called the husband of the informant, but in spite of the fact that the informant forbade her husband to go with the co-accused, he went. Thereafter, at about 6 P.M., the informant called her husband when he replied that he is in the company of co-accused Punjabi Ram and after some time his mobile became switched off. On the next morning, his



dead body was recovered. It is alleged against the petitioner that during investigation on the confession of co-accused person, the name of the petitioner sprang up and subsequently, the petitioner also confessed his guilt.

It is submitted by learned counsel for the petitioner that the petitioner is not named in the FIR. During investigation, the name of the petitioner sprang up on the confession of apprehended co-accused person. It is further submitted that co-accused Pintu Ram, against whom, more serious accusation has been levelled, has been granted bail by a Co-ordinate Bench of this Court, vide order dated 29.08.2019, passed in Cr. Misc. No. 53448 of 2019. Moreover, investigation has already been concluded. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the name of the petitioner sprang up during investigation.

Considering the circumstantial nature of accusation, investigation being concluded, period under custody and co-accused person being granted bail by a Co-ordinate Bench of this Court, coupled with the fact that the petitioner is not having any criminal antecedent, let the above named petitioner be released on bail on furnishing bail bonds of Rs.



10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned J.M.-1st Class, Bihar Sharif in connection with Bind P.S. Case No. 47 of 2019.

(Dinesh Kumar Singh, J)

Amrendra/-

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