

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67638 of 2019**

Arising Out of PS. Case No.-131 Year-2018 Thana- JANKINAGAR District- Purnia

JANARDAN RISI @ JANARDAN RISHIDEO Son of Late Parmeshwar
Rishi Resident of Village - Narayanpur, P.S.- Janki Nagar, District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhaneshwar Prasad Gupta
For the Opposite Party/s : Mr.Aditya Narayan Singh.1

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

2 11-12-2019 Heard learned counsel for the parties.

This application for regular bail arises out of Janki Nagar P.S. Case No. 131 of 2018, disclosing the offence under Section 307 and other allied Sections of the Indian Penal Code.

Petitioner is not named in the FIR. The informant, who is brother of the deceased, has described in the FIR to be an eye-witness of the occurrence. It is alleged in the FIR that while some of the persons named in the FIR were holding the deceased by force, co-accused Shivam Rishideo slit his throat with a knife, whereafter he died.

Learned counsel appearing on behalf of the petitioner has submitted that his name has surfaced in course of investigation based on statement of some of the witnesses



recorded by the police. He contends that had he been there at the place of occurrence, actively participating in commission of the alleged offence, his name would have been disclosed by the informant himself. He urges that subsequent implication of the petitioner in course of investigation does not appear to be *bonafide*.

Considering the above and the fact that some of the co-accused have been allowed regular bail by this Court, this application is allowed. Let the petitioner, above-named, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand), with two sureties of the like amount, each to the satisfaction of learned Chief Judicial Magistrate, Purnea in Jankinagar P.S. Case No. 131 of 2018.

This is subject to the condition that the petitioner shall present himself before the Police/ Court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Rajesh/-

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