

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 18447 of 2020

Arising Out of PS. Case No.-173 Year-2019 Thana- SANGRAMPUR District- Munger

Dil Khush Kumar, aged about 20 years, Male, S/o Late Mani Lal Mandal,
Resident of Village/ Muhalla- Kathria, P.S.- Gangta, Distt- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjiv Kumar Singh, Advocate
For the Opposite Party/s : Mr.Mukeshwar Dayal

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-06-2020 Heard the parties through the virtual court proceeding.

The petitioner seeks bail in connection with Sangrampur (Tetia Bumber) P.S. Case No. 173 of 2019 registered for the offences punishable under Sections 302, 201 of the Indian Penal Code.

The prosecution case is that one Dharmendra Bind lodged an F.I.R. alleging therein that from 02.10.2019, one Jai Karan Kumar was found missing. He used to do the decoration work and went to Fasaibad on 02.10.2019. When decoration owner came home to see him then he called him but could not reach. On 05.10.2019, he came to know that Champachal Bahiyar a dead body was lying. He found Jai Karan Kumar dead. Some unknown people killed Jai Karan Kumar and threw his dead body in Champachak Bahiyar.



Learned counsel for the petitioner submits that the petitioner is innocent, he has committed no offence and he has been falsely implicated in this case. He further submits that the petitioner is not named in the F.I.R. and there is no any material against the petitioner. Learned counsel for the petitioner further submits that on perusal of the case record, it reveals that petitioner is not F.I.R. named accused but his complicity came in this case on the basis of his confessional statement which is on record, in which he has confessed his guilt. Learned counsel for the petitioner further submits that petitioner is in jail custody since 26.10.2019.

Learned A.P.P. for the State has opposed the prayer.

In the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) only with two sureties of the like amount each to the satisfaction of S.D.J.M., Munger in connection with Sangrampur (Tetia Bumber) P.S. Case No.173 of 2019, subject to the following conditions :

- (1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.
- (2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.



(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjani Kumar Sharan, J)

Nasimul/-

U		T	
---	--	---	--

