

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58775 of 2019

Arising Out of PS. Case No.-133 Year-2019 Thana- PIPRA District- Supaul

Akshay Kumar Son of Gulab Prasad Gupta Resident of Village - Singioun,
P.S.- Gamhariya, Distt - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun, Advocate

For the Opposite Party/s : Mr.Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 23-01-2020 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in **Pipra P.S. Case No. 133 of 2019**, registered for the offence punishable under Sections 302, 34 of the Indian Penal Code.

On 03.06.2019 at 7.30, the informant (police official) received secret information that a dead body is lying near Thumha market, thereafter, informant along with others reached at the said place and found one dead body with a plastic rope tied around his neck and one mobile without battery and SIM etc. was also there. It is alleged that cause of death appears to be strangulation. On enquiry from the people, no one identified the dead-body.

It is submitted by learned counsel appearing on behalf of petitioner that petitioner has falsely been implicated in this



case. Petitioner is not named in the F.I.R. During course of investigation, name of petitioner has come in this case on the basis of confessional statement of co-accused Urmila Devi, who has been granted bail by this court vide order dated 01.10.2019 passed in Cr. Misc. No. 53973 of 2019. Save and except the confession of co-accused, there is no material against this petitioner. Charge-sheet has already been submitted and there is no allegation of tampering with the evidence against this petitioner. Petitioner is in custody since 11.06.2019 having no criminal antecedent.

Considering the facts aforesaid, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000 (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned **Additional Chief Judicial Magistrate VI, Supaul** in connection with **Pipra P.S. Case No. 133 of 2019**, subject to the following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.



(ii) 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.

(Prabhat Kumar Singh, J)

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