

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66689 of 2019

Arising Out of PS. Case No.-68 Year-2019 Thana- BASANHI District- Saharsa

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BANNI KAMAT Son of Late Singho Kamat Resident of Village - Baliya,
P.S.- Basnahi, Distt – Saharsa ... Petitioner

Versus

The State of Bihar ... Opposite Party

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Appearance :

For the Petitioner : Mr.Satish Kumar Singh, Advocate
For the Opposite Party : Madhuri Lata, Addl Public Prosecutor

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 24-01-2020 Heard learned counsel for the parties.

Petitioner is an accused in a case registered for the offence punishable under sections 302/201/506/120B/34 of the IPC and section 27 of the Arms Act.

Informant alleges that his brother had some financial dispute with the petitioner. On 14.7.2019 at 8 PM he was called by this petitioner and thereafter he went missing and suddenly on 15.7.2019 at 1 PM his dead body was fished out from eastern side canal of the village.

Learned counsel for the petitioner submits that the petitioner has been implicated in this case along with other accused persons only on the basis of suspicion as some monetary dispute was pending between them. There is no eye witness to this occurrence. Nothing incriminating has come during investigation to connect the petitioner with the offence. Petitioner has got no criminal antecedent and he is in custody since 17.7.2019. Charge sheet has also been filed in the case, as such, there is no chance of tampering with the evidence. Several similarly situated co-accused have already been allowed bail by a bench of this Court vide order dated 13.1.2020, passed in Cr. Mis. No. 79353/2019.



In view of the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner, mentioned above, be released 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 Chief Judicial Magistrate III, Saharsa in Basnahi Police Station Case No. 68 of 2019, on the following conditions:-

(1) 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.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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