

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1270 of 2020

Arising Out of PS. Case No.-330 Year-2019 Thana- BARARI District- Katihar

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LALAN THAKUR @ LALHU THAKUR Son of Late Bhola Thakur
Resident of Village - Kablasiya, P.S.- Falka, District - Katihar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Jha, Advocate

For the Opposite Party/s : Mr.Bidhanesh Misra, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 16-01-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the offences punishable under Sections 302/201/120B/34 of the Indian Penal Code.

According to FIR, thirteen named and some unknown assaulted to the brothers of the informant and thereafter took the injured on a tractor. Later on, dead body was recovered from the railway track and body was found to be cut in pieces.

During investigation it revealed that the petitioner was driver of the tractor. The petitioner is in custody since 20.10.2019. Investigation of the case is already complete.

Learned counsel for the informant opposed the prayer for bail on the ground that in the confessional statement before



police the petitioner admitted that he was also one of the assailants.

Considering the fact that confession before the police is no evidence in the eye of law and the petitioner was not involved in the actual occurrence, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Barari P.S. Case No.330 of 2019, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(c) The petitioner shall not leave the country without permission of the trial Court.

(Birendra Kumar, J)

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