

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85791 of 2019

Arising Out of PS. Case No.-36 Year-2018 Thana- DHURAIYA District- Banka

CHANDAN BHAGAT, Son of Arvind Bhagat, Resident of Village- Ward No. 06 near Durga Mandir Sondiha, Babhangama, P.S.- Barahat, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhirendra Kumar, Adv.

For the Opposite Party/s : Mr.Ahmad Ali (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

5 28-05-2020 The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.

Heard learned counsel for petitioner and learned counsel for the State.

Petitioner, who is in custody, seeks bail in a case registered for the offences punishable under Sections 302, 201/34 of the Indian Penal Code and Section 27 of the Arms Act.

As per fardbeyan of Manorama Devi on 01.03.2018 at about 9:00 P.M. four persons including petitioner came at her house by motorcycle and took away her husband, but he did not return back. In the next morning on 02.03.2018 the informant received information that her husband was dead lying in injured



condition and his motorcycle was found there.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case only on the basis of suspicion. There is land dispute between the deceased and his relatives. There is no eye-witness of the occurrence. It has been further submitted that deceased (husband of the informant) was a veteran criminal and number of criminal cases were pending against him and he might have been murdered in gang rivalry. Petitioner is in custody since 15.11.2019 having no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Dhoraiya P.S. Case No. 36 of 2018, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be represented on each and every date fixed by the court.



(3) 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.

(S. Kumar, J)

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