

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63296 of 2022

Arising Out of PS. Case No.-244 Year-2022 Thana- KISHANGANJ District- Kishanganj

BARODA MURMU Son of Johan Murmu Resident of Village- Kajla Muni,
Aadiwasi Tola, Ward No.-19, P.S.- Kishanganj, District- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 26-04-2023 Heard the parties.

The petitioner is an accused in connection with Kishanganj P.S. Case No. 244 of 2022 for the offence registered under Sections 302, 201, 120 (B) of the Indian Penal Code.

The Prosecution story, in brief, is that informant Munni Devi alleged that on 23.06.2022, her husband departed from the house to purchase 'Masala' having Rs. 15,000/- with the petitioner and others, but did not returned home. Thereafter, she started searching him and came to know by the nearby people that he was last seen with the petitioner and others. Later on, his dead body was found in the bushes near graveyard. It has been further alleged that the petitioner and other accused persons took her husband from her house and murdered him on account of previous enmity. She has also alleged that earlier, one



Mansoor and Md. Sujeet assaulted her husband and threatened to kill him.

Considering the fact that the petitioner is in custody since 25.06.2022 (as stated in para-14 of the petition), it is a case of last seen allegation, he do not have criminal antecedent and ultimately, will have to face the trial, this court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of Chief Judicial Magistrate, Kishanganj in connection with Kishanganj P.S. Case No. 244 of 2022, subject to the following conditions:-

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;



(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(vi) the petitioner shall cooperate in the investigation and make himself available to the police as and when required.

(Rajiv Roy, J)

Alok Verma/-

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