

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5232 of 2015

Arising Out of PS.Case No. -88 Year- 2014 Thana -PAKRIDAYAL District-
EASTCHAMPARAN(MOTIHARI)

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Avinish Kumar @ Awanish Kumar @ Chhotu Son of Surendra Prasad
Resident of Village - Jhuwaram, P.S- Dhaka, District - East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar No.Iii

For the Opposite Party/s : Mr. M.Dayal(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

02/ 09-02-2015

Heard learned counsels for the petitioner and

the State.

The petitioner is languishing in custody since
07.07.2014 in a case registered for the offences punishable under
Sections 302 and 120B of the Indian Penal Code.

It is alleged that the informant's son is
kidnapped by five FIR named accused persons and unknown,
subsequently he was killed. The petitioner was not named in the
FIR. The name of the petitioner subsequently sprang up in the
C.D. recording of the mobile of apprehended co-accused Chandan
Kumar .

It is submitted by learned counsel for the

petitioner that Chandan in his confession and other accused persons in their confession have not named this petitioner and co-accused persons, whose name subsequently transpired on the confession of the co-accused, have been granted bail vide Cr. Misc. Nos. 42846 of 2014 and 46298 of 2014.

A statement has been made in para 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Sikrahana at Motihari in connection with Pakridayal P.S. Case No. 88 of 2014.

(Dinesh Kumar Singh, J)

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