

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11829 of 2015

Arising Out of PS.Case No. -262 Year- 2014 Thana -KHAJEKALLAN District- PATNA

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1. Md. Naiyar Son of Md. Hamid Alam, Resident of Mogalpura, Durukhi,
P.S.- Khajekalan, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Syed Asgher Najmi

For the Opposite Party/s : Mr. Rana Randhir Singh(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

5 01-09-2015 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner is not named in the first information report but in course of investigation, the name of petitioner surfaced in this case. The learned Additional Sessions Judge has referred some paragraphs of the case diary to show the involvement of the petitioner in the alleged crime but paragraphs no. 36, 47 and 62 of the case diary reveal that all the witnesses, whose statements have been recorded at the aforesaid paragraphs, are hearsay witnesses. Para-86 is said to be collection of call details of the petitioner whereas Para-95 of the case diary happens to be confessional statement of co-accused.

Considering the aforesaid facts and circumstances as

well as submissions of the parties, let the 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 Additional Chief Judicial Magistrate, Patna City in connection with Khajekalan P.S. Case No. 262 of 2014.

(Hemant Kumar Srivastava, J)

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