

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12732 of 2015

Arising Out of PS.Case No. -97 Year- 2014 Thana -PATAHI District-
EASTCHAMPARAN(MOTIHARI)

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Pappu Singh S/o Ambika Singh R/o Village- Sishani, P.O. - Pakaridayal ,
Dist- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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with

Criminal Miscellaneous No.20037 of 2015

Arising Out of PS.Case No. -97 Year- 2014 Thana -PATAHI District-
EASTCHAMPARAN(MOTIHARI)

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Guddu Kumar S/o Late Shaligram Singh Resident of Village Gobind Bara,
P.S. Phenhara, District East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh

For the Opposite Party/s : Mr. Ram Shankar Das(Spl.App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 15-05-2015 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioner in Cr. Misc. No. 12732 of 2015 is in
custody since 06.12.2014, and the petitioner in Cr. Misc. No.
20037 of 2015 is in custody since 10.12.2014 are accused in a case
for the offence registered under Sections 302 and 120B of the
Indian Penal Code and Section 27 of the Arms Act as well as
Section 3 (i) (x) (xv), 3(2), (v) of the SC/ST (Prevention of
Atrocities) Act.

The name of these two petitioners has not been included in the first information report which was lodged by the informant in connection with the killing of his son. Subsequently, on the basis of the confessional statement of co-accused, named in the first information report, the petitioners' name has surfaced.

Learned counsel for the petitioners submits that the petitioners can not be prosecuted on the basis of the statement of co-accused as it has no evidentiary value. Learned counsel for the petitioners has produced an order before me passed under similar circumstances in favour of one Shiv Shankar Singh in Cr. Misc. No. 14337 of 2015 in which by order dated 10.04.2014; this Court enlarged the petitioner on bail in the said case.

Considering the aforesaid submissions and also the fact that the petitioners' name has come on the confessional statement of co-accused, let the petitioners above named be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of S.D.J.M., Sikarhaha, Motihari, East Champaran in connection with Patahi P.S. Case No. 97 of 2014.

(Anjana Mishra, J)

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