

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35008 of 2014

Arising Out of PS.Case No. -82 Year- 2013 Thana -PATAHI District- EASTCHAMPARAN
(MOTIHARI)

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1. Pankaj Tiwari @ Pankaj Tiwary, Son of Sri Laxmi Kant Tiwari, resident
of village - Shripur Khash, P.S. - Ghorasahan, District - East Champaran
..... Petitioner/s

Versus

1. The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No. 13, Advocate

For the Opposite Party/s : Mr. Nand Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 19-01-2015

Heard both sides.

The petitioner seeks regular bail in Patahi P.S.

Case No. 82 of 2013, registered for the offences punishable under
Sections 302/34 of the Indian Penal Code and Section 27 of the
Arms Act.

The informant named six persons, namely,
Mukesh Sah, Chandra Kishore Rai, Lal Babu Ram, Rameshwar
Das, Mohan Ram, Siya Ram Ram and two unknown and alleged
that all the accused persons came on her Darwaza and made
indiscriminate firing causing the death of her husband Mahesh
Thakur.

The learned counsel for the petitioner submits that
petitioner is not named in the First Information Report. Nothing
has been recovered from the possession of the petitioner. The

name of the petitioner figured in the case in the confessional statement of Zahir Madari in paragraph 162 of the case diary. Except the confessional statement, there is absolutely no other evidence.

Learned Additional Public Prosecutor disputes the fact.

Having considered the fact that petitioner is not named in the First Information Report, name of the petitioner figured in the confessional statement, except the confession, Investigating Officer did not find any tangible evidence against the petitioner showing involvement of the petitioner, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Sikrahana in connection with Patahi P.S. Case No. 82 of 2013.

(Prabhat Kumar Jha, J.)

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