

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37560 of 2015

Arising Out of PS.Case No. -1013 Year- 2014 Thana -KHAZANIHAT District- PURNIA

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1. Amit Kumar Son of Sri Naresh Goswami resident of village Jageli, Police Station Shri Nagar, District Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh

For the Opposite Party/s : Mr. Md.Sufiyan (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

05/ 11.12.2015 Heard learned counsel for the petitioner as well as learned Addl. Public Prosecutor for the State.

Petitioner is in jail custody since 21.12.2014 and earlier his prayer for bail was rejected by this court by a coordinate bench of this court vide order dated 2.6.2015 passed in Cr. Misc. no.14845/2015.

Submission on behalf of the petitioner is that in course of investigation, eye-witness vide paras 6, 25 etc, specifically, stated that it was co-accused Bambam Kumar @ Bambam who gave iron rod blow causing head injury to the deceased as a result of which deceased died. It is further contended by him that co-accused Bambam Kumar @ Bambam has already been granted privilege of bail by a coordinate bench of this court vide order dated 26.3.2015 passed in Cr. Misc. no. 8749/2015.

No doubt, petitioner was caught on the spot but admittedly, no arm was recovered from conscious possession of the petitioner.

Petitioner does not have any criminal antecedent.

Learned court below has reported that up till now, case of the petitioner has not been committed to the court of sessions as one accused is not appearing for commitment.

Accordingly, petitioner is directed to be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Purnia in K.Hat (Madhubani) P.S. Case no. 1013/2014.

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(Hemant Kumar Srivastava,J)

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