

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2422 of 2015

Arising Out of PS.Case No. -344 Year- 2014 Thana -SAUR BAZAR District- SAHARSA

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1. Phulo Yadav son of Lakhan Yadav Resident of village - Suhat Bharna,
Police Station - Sour Bazar, District - Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Jha

For the Opposite Party/s : Mr. Nirmala Kumari (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

6 21-09-2015 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner is not named but in course of investigation,
some witnesses including eye witness, Sharwan Kumar Gupta
claimed to have identified the petitioner. Admittedly, when the
ferdbeyan of the informant was recorded, eye witness, Sharwan
Kumar Gupta was present there and, therefore, had the eye
witness, Sharwan Kumar Gupta identified the petitioner, the
aforesaid eye witness would have certainly disclosed the name of
the petitioner to the informant of the present case prior to
institution of the present case.

No doubt, petitioner carries criminal antecedent but
taking into consideration that named accused, Prabhu Pahalwan

and some others have already been granted privilege of bail, 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 Sri A. Kumar, Judicial Magistrate, Saharsa in connection with Sour Bazar P.S. Case No. 344 of 2014.

(Hemant Kumar Srivastava, J)

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