

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51953 of 2014

Arising Out of PS.Case No. -6 Year- 2014 Thana -KAHALGAON. District- BHAGALPUR

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Yugal Tanti @ Jugla, Son of Late Soti Tanti, Resident of Village –
Mathurapur, Santhali Tola, P.S.- Shivnarayanpur (Kahalgaon), District –
Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar Sinha, Advocate.

For the Opposite Party/s : Mr. Kumar Virendra Narayan (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

2 05-01-2015

Learned counsel for the petitioner seeks permission to
make necessary corrections in the name of the petitioner as well as in
para-3 of the bail petition, permission is accorded.

Heard both sides.

The petitioner Yugal Tanti @ Jugla seeks bail in
Kahalgaon (Shiv Narayanpur) P.S. Case No. 6 of 2014, registered for
the offences punishable under Sections 302, 120B and 34 of the Indian
Penal Code and Section 27 of the Arms Act.

The informant lodged the case for killing of his brother
Bijay Kumar Singh against unknown.

Learned counsel for the petitioner submits that the
petitioner is not named in the FIR, nothing has been recovered from the
possession of the petitioner. The informant in his further statement
disclosed the name of the petitioner on mere suspicion although he is

not an eye witness of the occurrence. Except suspicion no material has been collected during the course of investigation. It has further been submitted that one Shmbhu Tanti was arrested and he is said to have confessed his guilt and disclosed the name of the petitioner.

Learned APP did not dispute the facts.

It appears that the name of the petitioner figured in the case during the course of investigation on mere suspicion. The call detail shows that the petitioner have talked with other accused persons, but except this fact no material has been collected to show the involvement of the petitioner in the alleged crime of killing of the brother of the informant and confessional statement of one co-accused was recorded.

Having considered the facts aforesaid, 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 Sri Anwar Shamim, the learned Judicial Magistrate Ist Class, Bhagalpur in connection with Kahalgaon (Shiv Narayanpur) P.S. Case No. 6 of 2014.

(Prabhat Kumar Jha, J.)

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