

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6152 of 2015

Arising Out of PS.Case No. -225 Year- 2011 Thana -SIKANDARA District- JAMUI

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Deepak Mishra Son of Narendra Mishra resident of Village - Siyani, P.S. -
Karandey, District - Sheikhpura.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ambika Bhagat

For the Opposite Party/s : Mr. Bharat Bhushan(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

02/ 16-02-2015

Heard learned counsels for the petitioner and
the State.

The petitioner is languishing in custody since
19.12.2014 in a case registered for the offences punishable under
Sections 302/34 of the Indian Penal Code and 25(1-B)a/26/27/35
of the Arms Act.

The prosecution case has been initiated on
the fard-beyan of victim's wife namely, Lalita Devi to the effect
that on 27.12.2011 at 6.00 P.M. one co-accused Pankaj Dharhi
informed her husband that co-accused Bhushan has called him at
Tuladih More, consequently the husband of the informant went to
meet Bhushan but at 8.00 P.M. the informant heard the sound of
firing. Subsequently one Gunja Devi informed about the death of

her husband. Thereafter next morning the informant went to see the dead body of her husband in a wheat field. The name of the petitioner sprang up on the confession of the Bhushan Yadav.

It is submitted by learned counsel for the petitioner that the petitioner is not named in the FIR. His name sprang up on the confession of Bhushan Yadav, who has been granted bail vide Cr. Misc. No.53307 of 2013. The victim was a veteran criminal and working in the gang of Bhushan Yadav, hence, he might have been killed while committing some offence.

Considering the fact that the name of the petitioner sprang up on the confession of Bhushan Yadav, who has been granted bail, let the above named 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 learned Chief Judicial Magistrate, Jamui in connection with Sikandara P.S. Case No. 225 of 2011.

(Dinesh Kumar Singh, J)

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