

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3927 of 2015

Arising Out of PS.Case No. -83 Year- 2014 Thana -RUNISAIDPUR District- SITAMARHI

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Ramesh Kumar @ Bantha, S/o Binod Chaudhary, Resident of Village
Bishwanathpur, P.S. Dumra, District - Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

2 29-01-2015

Heard both sides.

The petitioner seeks regular bail in Runnisaidpur P.S.
Case No. 83/2014 registered under Sections 326, 307/34 of the
Indian Penal Code and Section 27 of the Arms Act.

The informant named Raju Sah, Lal Sah and Judge
Saheb @ Mukesh Kumar @ Ravi Shankar Prasad Gupta and
disclosed that they came and saw the informant sitting at his shop
and went away. After some time, three persons came on a
motorcycle and, after a short while, the above named three persons
also came and on the order of Raju Sah and Ravi Shankar Prasad
Gupta, one unknown miscreant fired which hit on the chest of the
informant.

Learned counsel for the petitioner submits that the
petitioner is not named in the F.I.R. The name of the petitioner

figured in the case in the confessional statement of one Chandra Bhushan Kumar @ Kunal Singh, who is said to have confessed his guilt and also disclosed that he along with the petitioner fired at the informant. It is submitted that the petitioner was put on T.I.P. but the informant did not identify the petitioner and, therefore, there is absolutely no evidence. Other accused persons have already been enlarged on bail.

On consideration of the facts that the petitioner was not named in the F.I.R. and his name figured in the case in the confessional statement of a co-accused but the petitioner was not identified in T.I.P., the above named petitioner is directed to be enlarged on bail on furnishing bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi in Runnisaidpur P.S. No. 83/2014.

(Prabhat Kumar Jha, J)

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