

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3968 of 2015

Arising Out of PS.Case No. -211 Year- 2014 Thana -ITADHI District- BUXAR

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1. Abhiranjan Kumar Pandey Son of Ucheshwar Pandey, Resident of village- Sitabpur, P.S.- Dhansoin, District- Buxar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 29-01-2015

Heard both sides.

Petitioner seeks bail in Etarhi P.S. Case No. 211 of 2014 registered under sections 394, 397/34 of the Indian Penal Code and sections 414 and 302 I.P.C. along with 25(1)(B)a, 26, 35 and 27 of the Arms Act. Petitioner is the informant of the case. The petitioner lodged the case against unknown alleging therein that while he along with his maternal uncle Pushpendra Pandey was going to purchase cow some miscreants came and fired at his maternal uncle Pushpendra and fled away.

Learned counsel for the petitioner submits that police arrested the petitioner on mere suspicion but nothing has been recovered from the possession of the petitioner. The police forcibly obtained confessional statement of the petitioner on the

basis of which Sonu Kumar Mishra and Munna Mishra were apprehended but no looted article was recovered from them. Except suspicion there is absolutely nothing against the petitioner.

Having considered the fact that on mere suspicion the petitioner has been made accused and police obtained confessional statement of the petitioner but did not collect any cogent evidence to show the involvement of the petitioner, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of C.J.M, Buxar in Etarhi P.S. Case No. 211 of 2014.

(Prabhat Kumar Jha, J)

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