

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3346 of 2015

Arising Out of PS.Case No. -22 Year- 2014 Thana -KISHANPUR District- SUPAUL

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1. Pintu Choudhary @ Manish Kumar S/o Chandu Choudhary @ Chandra Kumar Bharti, Resident of village- Thumha, P.S.- Pipra, District- Supaul

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh

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

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

4 21-04-2015

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State as also heard learned counsel, appearing for the informant.

The petitioner is not named in the first information report but in course of investigation, some witnesses claimed to have seen the petitioner and some other persons in the company of the victim just before the alleged occurrence. The statements of the above-said witnesses have been recorded at paragraphs-53 & 54 of the case diary but admittedly, the aforesaid witnesses are family members of the informant and they did not disclose the above-said fact at the time of institution of the first information report or before recording the further statement of the informant. Furthermore, again at paragraphs-66, 67, 68 etc. the witnesses

stated this fact that they had seen the petitioner and other accused in the company of victim just prior to the alleged occurrence and they noticed that the victim was forcibly made to sit in a vehicle. The statement of aforesaid witnesses was recorded on 23-02-2015 whereas; first information report was lodged on 26-01-2014 but even after lodging of the first information report, the aforesaid witnesses did not take pain to go to the police station and to inform about the above-said facts though the aforesaid witnesses are co-villagers of the informant. The petitioner does not have any criminal antecedent which is evident from perusal of paragraph-3 of the petition.

Taking into consideration the aforesaid facts and circumstances as well as submission of the parties, let the petitioner named above, be released on bail on furnishing bail bond of Rs 10,000/- (ten thousand) with two sureties of the like amount each in connection with Kishanpur P.S. Case No. 22 of 2014 to the satisfaction of Chief Judicial Magistrate, Supaul.

(Hemant Kumar Srivastava, J)

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