

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42165 of 2015

Arising Out of PS.Case No. -247 Year- 2014 Thana -DARAUNDA District- SIWAN

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1. Pankaj Yadav Son of Late Hareram Yadav Resident of village -
Pinarthu, Police Station - Daronda, District - Siwan

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghav Prasad

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

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 15-09-2015 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

The name of petitioner has been given in the first
information report on the basis of suspicion and the informant has
not seen the actual killing of the deceased.

Learned counsel for the petitioner points out that in
course of investigation, not a single prosecution witness has
claimed himself to be an eye witness of the alleged occurrence and
the paragraphs referred by the Additional Sessions Judge, Siwan
in his impugned order are nothing but only the repeated version of
the prosecution case.

In view of the aforesaid submission as well as facts and
circumstances of the case, this petition stands disposed of with

direction to the learned Chief Judicial Magistrate, Siwan/
concerned court to verify the aforesaid statement of learned
counsel for the petitioner from the case diary and if the aforesaid
statement is found correct, the petitioner shall be released on bail
on furnishing bail bond of the Rs. 10,000/- in connection with
Daronda P.S. Case No.247 of 2014 but if in course of
investigation any witness has claimed himself to be an eye
witness, petitioner shall not be released on bail.

(Hemant Kumar Srivastava, J)

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