

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54950 of 2015

Arising Out of PS.Case No. -42 Year- 2015 Thana -BARAHIYA District- LAKHISARAI

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1. Gaurav Kumar @ Gaurav Singh @ Gaurav Kumar Singh son of Krishna Baldev Singh, resident of village- Barahiya, P.s.- Barahiya, District- Lakhisarai

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rabi Bhushan

For the Opposite Party/s : Mr. Dinesh Singh (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 10-12-2015 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner is not named in the first information report but in course of investigation when further statement of informant as well as statements of the witnesses were recorded, the aforesaid witnesses claimed to have seen the petitioner committing the alleged crime.

The contention on behalf of the petitioner is that the informant in his fardbeyan claimed to have seen the culprits but failed to give the name of any culprits and furthermore, the informant claimed that all the culprits had covered their faces by cloths . It is submitted that it is surprising enough that when the

further statement of the informant was recorded, he named the petitioner and thereafter other witnesses also followed the statement of informant. It is submitted that the aforesaid fact is nothing but only highhandedness of the police and moreover, having more or less similar allegation one co-accused namely, Sanjiv Kumar has already been granted privilege of bail vide order dated 29.10.2015 passed in Cr. Misc. No. 48437 of 2015.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned 5th Additional District & Sessions Judge, Lakhisarai in connection with Barahiya P.S.Case No. 42 of 2015.

(Hemant Kumar Srivastava, J)

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