

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4918 of 2015

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1. Nitish Kumar Son of Upendra Mandal Resident of vill+P.S-
Bariyarpur, Distt.-Munger

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rekha Prasad

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 11-03-2015

Heard both sides.

The petitioner seeks regular bail in a case under
sections 364, 120B/34 of the Indian Penal Code.

The informant Gayatri Devi, mother of Avatari
Sahni @ Sushant Kumar disclosed that on 16.04.2010 her son
went to the house of Munna Das. Her son disclosed that he along
with other accused persons have to go to Kursela. The informant
alleged that her son did not return.

It is submitted that after two months of the
occurrence, the complainant filed a complaint case on 15.06.2010
on the basis of which the police registered a case vide Kotwali
P.S. Case No. 280 of 2010. There is absolutely no evidence
against the petitioner in the case diary except the statement of

Munna Das. The petitioner is in jail since 16.12.2012.

The learned A.P.P. did not dispute the fact.

Considering the aforesaid fact that except the confessional statement of co-accused Munna Das, the police did not collect any tangible evidence and the petitioner has remained in jail for about three months, 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 the like amount each to the satisfaction of the Chief Judicial Magistrate, Munger, in connection with Munger Kotwali P.S. Case No. 280 of 2010.

(Prabhat Kumar Jha, J)

Amin/-

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