

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32763 of 2014

Arising Out of PS.Case No. -271 Year- 2012 Thana -KOTWALI District- MUNGER

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1. Ravi Kishun @ Faitu son of Garib Yadav resident of village -
Shankarpur, P.S. Muffasil, District - Munger

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh

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

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

4 31-03-2015 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection
with Kotwali P.S. Case No. 271 of 2012 registered under Sections-
320 of the IPC and 27 of the Arms Act.

The petitioner is not named in the first information
report and for the first time, the name of the petitioner surfaced in
the statement of two witnesses, which is evident from perusal of
paragraphs-75 & 76 of the case diary and both the witnesses
claimed in their statement recorded u/S 164 of the Cr.P.C. that the
deceased was seen in the company of the petitioner prior to the
alleged occurrence.

Admittedly, the family members of the deceased

stated before the I.O. that the deceased had left his home alone and at that time, the petitioner was not with the deceased but from perusal of paragraph-75 of the case diary, it would appear that one witness claimed that the deceased had come at a tea shop along with the petitioner and almost similar statement has been given by another witness and except the aforesaid material, there appears to be nothing against the petitioner.

Considering the aforesaid facts and circumstances as well as submission of the parties, let the petitioner named above, in the event of his arrest or surrender within four weeks from the date of receipt/production of copy of the order in the court below, be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each in connection with Kotwali P.S. Case No. 271 of 2012 to the satisfaction of learned Additional Chief Judicial Magistrate, Munger subject to the conditions as laid down u/S 438(2) of the Cr. P.C.

(Hemant Kumar Srivastava, J)

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