

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44242 of 2015

Arising Out of PS.Case No. -279 Year- 2013 Thana -CHAKIA District-
EASTCHAMPARAN(MOTIHARI)

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1. Golu Kumar Singh @ Atul Aditya son of Sri Satyendra Prasad Singh @
Phoolbabu Singh, Resident of village- Tariyani Chhapra, P.S.- Tariyani,
District- Sheohar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

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

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 23-09-2015 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner is not named in the F.I.R. but from perusal of
the impugned order, it appears that the name of petitioner came in
confessional statement of co-accused Raushan Singh, which has
been incorporated by the I.O at Para-44 of the case diary.

No doubt, the learned 8th Additional Sessions Judge,
East Champaran, Motihari, has mentioned in the impugned order
that there is material against the petitioner at para -15 of the case
diary but he did not take pain to disclose what material is found
against the petitioner at Para-15 of the case diary. The learned 8th
Additional Sessions Judge, East Champaran, Motihari has written

a very cryptic order. Moreover, I would like to mention here that in course of hearing of bail petitions filed under sections 439 and 440 of the Cr.P.C, I got privilege to see the orders passed by subordinate courts of this State and I found that the learned 8th Additional Sessions Judge, East Champaran, Motihari is in the habit of passing cryptic order without applying his judicial mind. Moreover, the concerned officer is warned to be more cautious in future while passing the orders on bail petitions.

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 Judicial Magistrate, Sadar, Motihari, East Champaran in connection with Chakiya P.S.Case No. 279 of 2013.

Let this order be communicated to the concerned officer for needful.

(Hemant Kumar Srivastava, J)

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