

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42483 of 2014

Arising Out of PS.Case No. -100 Year- 2010 Thana -BRAHMPURA District- MUZAFFARPUR

1. Nitish Kumar Son of Anil Kumar Singh Resident of Village - Atnawa,
P.S. - Barh, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey

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

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

2 22-04-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner apprehends his arrest in connection with
Brahmpura P.S. Case No. 100 of 2010 registered for the offences
punishable under Sections 364, 365/34 of the Indian Penal Code.

The petitioner is not named in the FIR and his name
transpired in the confessional statement of co-accused Ranjeet
Singh @ Madhu and he disclosed that the petitioner gave mobile
of the victim to him.

Submission is of false implication and that co-
accused Ranjeet Singh @ Madhu Singh, Gautam Singh and Lal
Babu Singh have faced Sessions Trial No. 142 of 2011 arising out
of the instant occurrence and they have been acquitted vide

judgment dated 21.08.2014 from the court of Additional Sessions Judge VIII, Muzaffarpur and as such the petitioner deserves sympathetic consideration to which learned APP fairly submits that three co-accused have already been acquitted.

In the facts and circumstances stated above, considering that name of the petitioner has come in the confessional statement of co-accused Ranjeet Singh @ Madhu and he has already been acquitted, the petitioner above named, in case of his surrender or arrest within two months from the date of receipt/production of a copy of this order, shall be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Muzaffarpur in connection with Brahmpur P.S. Case No. 100 of 2010, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

avin/-

U		T	
---	--	---	--