

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20412 of 2015

Arising Out of PS.Case No. -271 Year- 2012 Thana -KAHALGAON District- BHAGALPUR

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Krishna Murari, S/O Late Bhaddi Mandal, Resident of Mohalla- Rampur,
P.S.- Kahalgaon (Shivnarayanpur), District- Bhagalpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Davendra Kumar Pandey, Advocate.

For the Opposite Party/s : Ms. Gulnar Begum(APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 28-09-2015 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection with Kahalgaon (Shivnarayanpur) P.S. Case No.271 of 2012 for allegedly having committed the offence under Sections 448, 341, 325, 376(2)G, 504 and 379/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that neither the petitioner is named in the F.I.R. nor has his name surfaced in the statement of the victim girl made under Section 164 of the Cr.P.C. or even in the statement made before the court during the course of trial of other chargesheeted accused persons. Learned counsel for the petitioner further submits that

the name of the petitioner has surfaced only in the confessional statement of Bittu Kumar and Satyam Kumar, which has been made before the police and which is not admissible evidence in the eyes of law.

Considering the aforementioned facts and circumstances and also because in the case diary, there is no further cogent material available, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of three weeks from the date of receipt/production of a copy of this order, be released 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 learned Chief Judicial Magistrate, Bhagalpur, in connection with Kahalgaon (Shivnarayanpur) P.S. Case No.271 of 2012, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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