

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40393 of 2015

Arising Out of PS.Case No. -59 Year- 2015 Thana -RUPAULI District- PURNIA

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Md. Mukhtar Alam Son of Late Khairul Haque, Resident of Village -
Anjhari, Police Station - Rupauli (Mohanpur), District - Purnea.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Viveka Nand Singh, Advocate

For the Opposite Party : Mr. Satyendra Narayan Singh(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 27-10-2015 Heard the counsel for the petitioner and counsel for the

State.

The petitioner is languishing in jail since 14.04.2015 in
a case instituted under Section 302/34 of the Indian Penal Code
and Section 27 of the Arms Act.

As per prosecution case, it is a case of double murder
wherein father of informant, namely, Wakil Singh and one another
person, namely, Ishaque Miyan who was accompanying Wakil
Singh were murdered by some unknown persons. It is further
stated by the informant that his mother Usha Devi knows the
culprits but since she is unconscious, she is unable to give her
statement but as soon as she gets her consciousness, she would
give her statement.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 14.04.2015. Chargesheet has been submitted in the case. There is no allegation of tampering of evidence against the petitioner. Petitioner has got no criminal antecedent. There is no eye witness to the occurrence. The name of the petitioner appeared merely on the basis of suspicion. Petitioner is not named in the FIR. Other co-accused persons have been granted bail by this Court in Cr.Misc.No.28551 of 2015, 24488 of 2015 and 26445 of 2015.

On behalf of the State, it has been submitted that the name of the petitioner has come in course of investigation.

Considering the aforesaid facts and circumstances, let the above named petitioner 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 Shri Ran Vijay Kumar, Judicial Magistrate, Ist Class, Purnea in connection with Rupauli (Mohanpur) P.S.Case No.59 of 2015.

(Sudhir Singh, J)

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