

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23417 of 2016

Arising Out of PS.Case No. -49 Year- 2015 Thana -PATAHI District-
EASTCHAMPARAN(MOTIHARI)

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Umesh Sah Son of Jagarnath Sah resident of village - Ratan Saray, P.S.
Patahi, District - East Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Adv.

For the Opposite Party/s : Mr. Sanjay Kr. Tiwary(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 02-08-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since
28.01.2016 in connection with Patahi P.S. Case No. 49 of 2015 for
the offences instituted under Sections 364,302,201/34 of the
Indian Penal Code.

The prosecution story, in brief, is that the son of the
informant Upendra Kumar went to his mobile shop on motorcycle,
but did not returned back till evening, and then on 6.4.2015 at
about 10.00 p.m. in the night local Chaukidar informed him that
motorcycle and bag of his son was lying near Parsa village and
then he started searching his son and came to know that dead
body of his son was lying in the wheat field beside of Jardaha road

and he suspected that some miscreants kidnapped and killed him.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 28.01.2016. Charge-sheet has been submitted in the present case. The petitioner has got no criminal antecedent. There is no allegation of tempering of witnesses against the petitioner. The petitioner is not named in the FIR and except for the confessional statement made by the petitioner before the police there is no other material to suggest his involvement in the present case. The other co-accused have been granted bail vide Cr. Mis. No. 42698 of 2015 and Cr. Misc. No. 45 of 2016.

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

Considering the aforesaid facts and circumstances, let the petitioner above named, 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 Additional Chief Judicial Magistrate, Motihari, East Champaran in connection with Patahi P.S. Case No. 49 of 2015.

(Sudhir Singh, J)

Prakash/-

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