

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3010 of 2016

Arising Out of PS.Case No. -241 Year- 2015 Thana -BARH District- PATNA

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Kanhaiya @ Kanhaiya Kumar, son of Radhe Shyam Singh, Resident of Village- Darbe, P.S.- Bhadaur, District- Patna and at Present residing at Mohalla - Court Area, P.S.- Barh, District- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Amit Kumar

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

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 18-03-2016 Heard learned counsel for the petitioner, learned counsel for the Informant and the learned A.P.P. for the State.

The petitioner is accused in connection with Barh P.S. Case No. 241 of 2015, registered under Section 341, 323, 364, 605, 307, 302, 201 and 120(B) of the Indian Penal Code.

The accusation is that in course of returning of informant Kapil Deo Yadav and his son Pawan Kumar @ Putus after purchasing the household articles from Barh market, in the way, five persons named in the F.I.R. along with two unknown boarded Pawan Kumar @ Putus, son of the informant in white colour Scorpio, when the informant made protest at that time, he was assaulted from butt of the pistol by the accused persons. On next day, the dead body of Pawan Kumar @ Putus (deceased)

was recovered from village Ladma.

Learned counsel appearing on behalf of the petitioner submits that it would appear from the F.I.R. that the name of one Kanhaiya of village Berhna has come without parentage and the informant has also gave the similar statement in his re-statement, but later on, Manish Singh son of the informant and one Lalu Singh disclosed the name of this petitioner, showing his involvement in the present occurrence, but both were not eye-witness of the occurrence. The similar situated co-accused Kumar Madhur Bhushan Malviya @ Manish Singh has already been allowed bail by this Court on 16.12.2015 passed in Cr. Miscellaneous No. 56376 of 2015. The petitioner is in custody since 24.06.2015.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate, Barh in connection with Barh P.S. Case No. 241 of 2015.

(Rajendra Kumar Mishra, J)

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