

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5175 of 2016

Arising Out of PS.Case No. -187 Year- 2015 Thana -KASIMBAZAR District- MUNGER

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1. Ajit Kumar Mandal, Son of Sushil Mandal, resident of Halimpur, P.S.-
Naya Ramnagar, District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prashant Sinha

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

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

5 12-04-2016

Heard learned counsel for the petitioner and

learned A.P.P. for the State.

The petitioner seeks bail in a case registered for
the offences punishable under sections 302,201/34 of the Indian
Penal Code and Section 27 of the Arms Act.

Allegedly husband of the informant was shot
dead by some unknown person. During investigation on the basis
of information furnished by the police spy, name of the petitioner
transpired and he confessed his guilt.

Submission is of false implication, there is no
legal and tangible material against the petitioner, the alleged
confessional statement made before the police has got no
evidentiary value in the eye of law, the police has got recorded
statement of some of the witnesses later on only with a view to

implicate the petitioner and others and, as such, the petitioner, who is suffering in custody since 06.11.2015 deserves sympathetic consideration.

Learned A.P.P opposed the prayer by submitting that the deceased was last seen with Nitesh Kumar who had come to take back money and had caused threat and Nitesh Kumar is the fast friend of the petitioner resulting the deceased was killed by the petitioner and others.

In the facts and circumstances stated above and considering that charge-sheet has already been submitted and that there is no chance of tampering with the prosecution evidence, the petitioner above named is directed to be enlarged 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, Munger in connection with Kasimbazar P.S. Case No. 187 of 2015.

Amin/-

(Jitendra Mohan Sharma, J)

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