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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5910 of 2016

Arising Out of PS.Case No. -621 Year- 2015 Thana -BANKA District- BANKA

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Panter Kumar Mishra @ Pentra Mishra Son of Udai Kant Mishra, Resident of Village - Chandan Nagar, Chamreli, P.S. + District - Banka.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :
For the Petitioner : Mr. Sanjay Kumar Jha, Advocate.
For the Opposite Party : Mr. Ashok Kumar(APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 05-04-2016 Heard learned counsel for the petitioner and learned A.P.P. representing the State.

The petitioner seeks bail in connection with Banka (Barahat) P.S. Case No. 621 of 2015 registered for the offences punishable under Sections 302 and 201/34 of the Indian Penal Code.

Allegedly, Jitendra Yadav @ Sethi, the son of the informant was found killed and accordingly, First Information Report has been lodged against unknown. During investigation, in the confessional statement of co-accused Himanshu @ Hira Yadav the name of the petitioner transpires that the petitioner killed the deceased and further the petitioner also confessed his guilt.

Submission is of false implication and that besides

confession there is nothing against the petitioner, there is no legal and tangible material against the petitioner and he is suffering in custody since 23.10.2015, having no criminal antecedent.

In the facts and circumstances stated above, considering that besides confession, there is no other tangible material against the petitioner and as such the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka, in connection with Banka (Barahat) P.S. Case No.621 of 2015, subject to conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)

Amit/-

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