

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10443 of 2016

Arising Out of PS.Case No. -269 Year- 2015 Thana -TAJPUR District- SAMASTIPUR

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Kailash Rai, Son of Nathuni Rai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai

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

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 04-03-2016 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner is in jail custody since 20.08.2015 in a
case registered for the offences punishable under Section 302/34
of the Indian Penal Code and Section 27 of the Arms Act.

The informant is not an eye witness of the alleged
occurrence and not a single witness appears to have claimed
himself to be eye witness of the alleged occurrence. The name of
petitioner has been dragged in this case on the basis of recovery of
Chilam, Safi and knife near the place of occurrence and apart from
this, the informant claims that fifteen days prior to the alleged
occurrence a quarrel had taken place between the petitioner and
deceased and petitioner had given threatening to kill the deceased.

Submission on behalf of the petitioner is that the

deceased was a dreaded criminal and as a matter of fact, he was killed by some unknown persons but informant lodged this case against the petitioner on account of previous enmity. Moreover, petitioner does not have any criminal antecedent.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-III, Samastipur in connection with Sessions Case No. 697 of 2015 arising out of Tajpur P.S. Case No. 269 of 2015.

(Hemant Kumar Srivastava, J)

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