

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15065 of 2016

Arising Out of PS.Case No. -72 Year- 2015 Thana -NASRIGANJ District- SASARAM (ROHTAS)

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Amit Kumar, Son of Brij Kishore Prasad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Prasad Singh

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

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 12-04-2016

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 302, 201, 376/34 of the Indian
Penal Code and Section 34 of POCSO Act.

The informant is not an eye witness of the alleged
occurrence but according to prosecution case, the dead body of
deceased was recovered from the house of one Yugal Kishore
Prasad, who happens to be uncle of the petitioner.

Learned counsel for the petitioner points out that
according to prosecution case itself, it were co-accused, Pintu
Kumar and Anil Prasad who committed rape and murder of the
deceased and at best, case under Section 201 of the Indian Penal
Code is made out against the petitioner. It is further submitted that

moreover, co-accused, Anil Prasad and Yashoda Devi, against whom there is serious allegation, have already been granted privilege of bail by a co-ordinate Bench of this Court after perusing the case diary.

Considering the aforesaid facts and circumstances as well as submissions of the parties and also taking note of this fact that none has seen the actual killing of the deceased, 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-I, Sasaram in connection with Nasriganj P.S. Case No. 72 of 2015.

(Hemant Kumar Srivastava, J)

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