

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.18561 of 2016

Arising out of PS.Case No. -65 Year- 2015 Thana -MAIRWA District- SIWAN

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Mukesh Pandey, Son of Raj Mangal Pandey, resident of village - Bhitauli,
P.S. Darauli, District – Siwan.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rajesh Kumar Sinha, Advocate.

For the Opposite Party : Mr. Pranav Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 25-05-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 08.03.2016
in connection with Mairwa P.S. Case No. 65 of 2015 for the
offences instituted under Sections 147, 148, 149, 341, 323, 307,
302 and 429 of the IPC.

The prosecution story, in brief, is that all FIR named
accused persons and three unknown went to the house of the
informant and made indiscriminate firing causing the death of
Jitendra Singh, the nephew of the informant. During investigation,
it transpires that it was co-accused Tribhuwan Singh who shot the
deceased dead.

It has been submitted on behalf of the petitioner that the

petitioner is in custody since 08.03.2016 and the charge sheet has been submitted in the present case. The petitioner has been made accused in the present case on the basis of confessional statement of the co-accused. There is no direct or indirect evident against the petitioner. There is no circumstantial evidence to suggest the implication of the petitioner in the present case. The other co-accused have been granted bail by this Court vide Cr. Misc. Nos. 54689/2015, 16469/2016, 41473/2015 and 56166/2015.

On behalf of the State it has been submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released 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 C.J.M., Siwan, in connection with Mairwa P.S. Case No. 65 of 2015.

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(Sudhir Singh, J)