

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.18401 of 2016

Arising out of PS.Case No. -1155 Year- 2015 Thana -AHIAPUR District- MUZAFFARPUR

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Kundan Kumar, S/o Upendra Jha, R/o Village- Dhanhara, PS Shyampur
Bhatha, District Sheohar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjay Kumar @ S.K., Advocate.

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

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 25-05-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 30.01.2016
in connection with Ahiyapur P.S. Case No. 1155 of 2015 for the
offences instituted under Sections 302 and 120(B) of the IPC.

The prosecution story, in brief, is that the informant's
husband was called by Prabhash Choudhary, the maternal brother
of her husband. He went there. After some time, the informant was
informed by one Ranjit Chaudhary that her husband Santosh
Chaudhary has been killed by some unknown culprits at the shop
of Prabhash Choudhary. The informant went there and saw that
her husband lying on the ground sustaining grievous injury. He
was taken to hospital where the doctor declared him dead.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 30.01.2016 and the charge sheet has been submitted in the present case. There is no allegation of tampering with the evidence against the petitioner. The petitioner is not named in the FIR. The only material is the confessional statement of the co-accused. The other co-accused has been granted bail by this Court vide Cr. Misc. No. 21086 of 2016.

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., Muzaffarpur, in connection with Ahiyapur P.S. Case No. 1155/2015.

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(Sudhir Singh, J)