

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19170 of 2016

Arising Out of PS.Case No. -157 Year- 2014 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

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1. Gajendra Kumar @ Gajendra Kushwaha son of Deepalal Mahto resident
of village - Basmanpur Kakahiya Tola, P.S. - Muffasil Motihari, District -
East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s Mr. Suresh Pd.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02/ 05.05.2016 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

Petitioner seeks bail in a case registered under sections 364,
302, 201 and 120B of the Indian Penal Code.

Petitioner is named in the first information report and it is
alleged that petitioner and one co- accused Jitendra Kushwaha took
the deceased on motorcycle and subsequently, dead body of the
deceased was recovered from a river having several injuries on his
person.

The contention on behalf of the petitioner is that co- accused
Jitendra Kushwaha, who confessed his guilt disclosing names of
others including the petitioner, has already been granted privilege of
bail by a coordinate bench of this court vide order dated 4.3.2015
passed in Cr. Misc. no.5137/2015 and similarly, several other co-

accused have already been granted privilege of bail by different benches of this court.

So far as petitioner is concerned, he is languishing in jail custody since 29.2.2016 and does not have any criminal antecedent.

Considering the aforesaid facts and circumstances as well as submissions of the parties, particularly, taking note of this fact that having similar allegation co- accused Jitendra Kushwaha has already been granted privilege of bail, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, East Champaran at Motihari in Mufassil P.S. Case no. 157/2014.

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(Hemant Kumar Srivastava,J)

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