

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21105 of 2016

Arising Out of PS.Case No. -29 Year- 2013 Thana -RUNISAIDPUR District- SITAMARHI

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Surendra Patel son of Late Ram Ayodhi Patel, resident of village-
Sumaigarh, P.S.- Runnisaidpur, District- Sitamarhi

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 21-07-2016

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted under Sections 326, 302/34 of the Indian Penal Code, 27 of the Arms Act and 17 of the C.L.A. Act. Later on, Section 302 of the Indian Penal Code has been added.

Prosecution case, in brief, is that two accused persons on motorcycle came at the door of one Makleshwar Prasad Yadav and fired shots upon him and his brother and both sustained injuries. Petitioner has been made accused on the basis of confessional statement of the co-accused.

It has been submitted on behalf of the petitioner that he is in custody since 4.3.2014. Chargesheet has been submitted against him. There is no allegation of tampering of evidence against him. Petitioner is named in the present case on the basis of confessional statement of co-accused Bhutta Patel. As per confessional statement, Pappu Khan and Sanjay Sahani are said to be the assailants. No specific role has been assigned against this petitioner. Other co-accused has been granted bail vide Cr. Misc. no. 14421 of 2015.

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

Considering the aforesaid facts and circumstances, let the above named petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned 1st Addl. Sessions Judge, Sitamarhi, in connection with Sessions Trial no. 208 of 2014 arising out of Runnisaidpur P.S. Case no. 29 of 2013.

(Sudhir Singh, J)

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