

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20805 of 2016

Arising Out of PS.Case No. -21 Year- 2015 Thana -KHAGARIA GRP CASE District- KHAGARIA

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Mikky Sah @ Ambika Sah @ Idris Khan, son of Late Banarasi Sah,
Resident of village- Ganeshpur, P.S.- Kharik, Dist-Bhagalpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh

For the Opposite Party/s : Mr. Satyendra Narayan Singh (App)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 19-05-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner is accused in connection with Naugachhia Rail P.S. Case No. 21 of 2015, registered under Section 461, 382, 411, 307 and 353/34 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that petitioner is not named in the F.I.R. In course of investigation, the Police recorded the confessional statement of co-accused Chhotu Poddar disclosing the involvement of the petitioner. Thereafter, some witnesses have also disclosed about presence of the petitioner along with others near the place of occurrence taking the liquor there, except the confessional statement of co-accused and suspicion raised by the witnesses, there is no

tangible material against the petitioner to show his involvement in the present case. Further submission is that petitioner is accused in Bihpur Rail P.S. Case No. 10 of 2010 and Naugachhia P.S. Case No. 04 of 2015, but learned counsel Sri Ramesh Kumar Singh submitted that the petitioner is on bail in both the cases. The petitioner is in custody since 15.02.2016.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Rail Judicial Magistrate, Khagaria in connection with Naugachhia Rail P.S. Case No. 21 of 2015. Out of two sureties, one surety must be the close relative of the petitioner, who will file an affidavit showing his relation with the petitioner.

(Rajendra Kumar Mishra, J)

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