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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26733 of 2016

Arising Out of PS.Case No. -311 Year- 2013 Thana -SIWAN CITY District- SIWAN

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Bitu Soni S/o Late Ram Babu Sonar @ Ram Bahadur Sonar resident of Jagaji Mohalla- Deen Dayal Nagar Siwan, P.S.- Siwan Town, District- Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Ravi Bhushan Verma, Advocate
For the Opposite Party/s : Mr. Sri Tarkeshwar Nath Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 29-08-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 20.04.2016 in connection with Siwan Town P.S. Case No. 311 of 2013 registered for offences under Sections 302 and 120(B)/34 of the Indian Penal Code.

The prosecution story, in brief, is that present petitioner and other co-accused persons in furtherance of conspiracy committed murder of the informant's brother by inflicting knife injury. Though, the present petitioner is not named in the FIR but his name, in the alleged murder, has come up on the confessional statement of co-accused person given before the police.

On behalf of the petitioner, it is submitted that the petitioner

is in custody since 20.04.2016. Charge-sheet has been submitted in the present case. The petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Petitioner is not named in FIR. His name has come on the confessional statement of co-accused. Neither there is eye-witness to the alleged occurrence nor any circumstantial evidence to suggest his implication in the present case.

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 Chief Judicial Magistrate, Siwan in connection with Siwan Town P.S. Case No. 311 of 2013.

(Sudhir Singh, J)

Prakash/-

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