

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29327 of 2016

Arising Out of PS.Case No. -113 Year- 2016 Thana -SHASTRINAGAR District- PATNA

=====

Anjay Kumar @ Anjay aged about 18 years, son of Lal Mohan Rai, resident of Mahuabagh, P.S. Rupaspur, District- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Mithilesh Kumar, Advocate.

For the Opposite Party : Mr. Sri Surendra Prasad Singh (APP)

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 02-09-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody in connection with Shashtri Nagar P.S. Case No. 113 of 2016 for the offences instituted under Sections 302 and 364/34 of the Indian Penal Code.

The prosecution story in brief, is that on 16.03.2016 at about 7.45 P.M., the mother-in-law of the informant came to know from the police that her son was badly injured and he was brought at hospital for treatment. Thereafter she along with other relatives came at the hospital and found the deceased in critical condition and the deceased told that while he had gone to K.F.C. restaurant and was returning after taking lunch, the F.I.R. named accused persons came there and forcibly taken him on motorcycle to Mahuabagh, where 20-25 unknown persons brutally assaulted him and during course of treatment, he died.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 21.03.2016. The 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. The petitioner is not named in the First Information Report and his name has come in the confessional statement of co-accused. It has further been submitted that there is no other direct or indirect evidence against the petitioner. Other co-accused has already been granted bail vide Cr. Misc. No. 31005 of 2016 dated 12.08.2016 by another co-ordinate Bench of this Court.

On behalf of the state, it has been submitted that the petitioner is not named in the First Information Report.

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 Smt. Aditi Gupta, Judicial Magistrate, 1st Class, Patna, in connection with Shashtri Nagar P.S. Case No. 113 of 2016.

(Sudhir Singh, J.)

Amit/-

U		T	
---	--	---	--