

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.30972 of 2016**

Arising Out of PS.Case No. -44 Year- 2015 Thana -BHOJPUR GRP CASE District- BHOJPUR

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1. Ekbal Khan son of Nasim Khan resident of Village- Bagahi , P.S. - Bihia District- Bhojpur

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Madan Jeet Kumar

For the Opposite Party/s Sri Jitendra Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR**  
**SRIVASTAVA**  
**ORAL ORDER**

02/ 09.08.2016 Heard learned counsel for the petitioner as well as learned Addl. Public Prosecutor for the State.

Petitioner seeks bail in a case registered under section 379/34 of the Indian Penal Code.

The present case was lodged on 29.9.2015 whereas occurrence took place on 27.9.2015.

Although petitioner is named in the first information report and the informant claims that the petitioner and co- accused Minu Khan committed the alleged occurrence but the informant has not mentioned in his written report as to how he came to know about involvement of the petitioner and co- accused in the present case.

Moreover, impugned order of Addl. Sessions Judge goes to show that the petitioner has been made accused in this case only on the basis of his criminal antecedent.

Considering the aforesaid facts and circumstances as well as

submissions of the parties, 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 Railway Judicial Magistrate, Bhojpur at Ara in Ara Rail P.S. Case no. 44/2015.

shahid

(Hemant Kumar Srivastava,J)

