

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31576 of 2016

Arising Out of PS.Case No. -300 Year- 2014 Thana -RAMPUR District- GAYA

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Birendra Prasad @ Barahan Prasad Son of Late Moti Prasad Resident of
Mohalla - Rampur, P.S. Rampur, District - Gaya

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ram Kumar Singh

For the Opposite Party/s : Mr. Shailendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 20-10-2016 Heard learned counsel for the petitioner, learned

counsel for the informant as well as learned Additional Public

Prosecutor for the State.

Petitioner seeks bail in a case registered for the

offences punishable under Section 364 of the Indian Penal Code.

Petitioner is not named in the first information report

but in course of investigation, one co-accused was arrested who

confessed his guilt leading to recovery of skeleton and clothes of

the deceased. The aforesaid co-accused disclosed the name of the

petitioner and stated that it was petitioner, who had hired him for

killing the deceased.

Submission on behalf of the petitioner is that except

the aforesaid confessional statement of co-accused, there is

nothing against the petitioner to show his involvement in the present crime.

Although, learned counsel appearing for the informant opposed the prayer pointing out that petitioner could be arrested after indulgence of a Bench of this court as the informant had filed criminal writ for issuance of direction for arrest of the petitioner and moreover, the prayer for bail of some co-accused has already been rejected by this Court as well as other Bench of this Court.

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/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Gaya in connection with Rampur P.S. Case No. 300 of 2014.

(Hemant Kumar Srivastava, J)

SHAHZAD/-

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