

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29706 of 2016

Arising Out of PS.Case No. -131 Year- 2007 Thana -DUMRAUN District- BUXAR

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Upendra Singh son of Late Lalan Singh resident of Village - Fagu Tola,
P.O. Kopawan, P.S. - Koran Sarai, District - Buxar.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Dr. Kamal Deo Sharma, Advocate.

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

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 06-09-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody in connection
with Sessions Trial No. 116 of 2008, arising out of Dumraon P.S.
Case No. 131 of 2007 for the offences instituted under Sections
302 and 201 of the Indian Penal Code.

The prosecution story, in brief, is that some unknown
persons have killed the deceased and dumped his dead body in a
Well.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 29.06.2016. There is no allegation of
tampering of witnesses alleged against the petitioner. The
petitioner is not named in the First Information Report. He has not

been charge sheeted in the present case. He has been made accused during the trial on the basis of a petition filed under section 319 of the Cr.P.C. by the prosecution. The other similarly situated co-accused have been granted bail vide Annexure-2 to the present application.

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 ^t Additional Sessions Judge-VI, Buxar, in connection with S.Tr. No. 116 of 2008, arising out of Dumraon P.S. Case No. 131 of 2007.

(Sudhir Singh, J.)

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