

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39527 of 2016

Arising Out of PS.Case No. -351 Year- 2016 Thana -FORBESGANJ District- ARRARIA

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1. Anand Kumar @ Anand Kumar Mandal Son fo Yogendra mandal
Resident of Village -Higna-orahi, Tola- Shankerpur, P.S- Simraha, Distridct
- Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sarangdhar Jha

For the Opposite Party/s : Mr. Smt. Madhuri Lata

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 17-09-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in connection with
Forbesganj (Simraha) P.S.Case No. 351 of 2016 registered under
Section 302/34 of the Indian Penal Code.

It is contended by the learned counsel for the
petitioner that the petitioner has been apprehended in connection
with the aforesaid case without there being any material against
him. Referring to the impugned order passed by the learned 1st
Additional Sessions Judge, Araria rejecting the application for bail
of the petitioner, it has been submitted that the only material in the
case diary against the petitioner is the statement of one Puja
Kumari which has been recorded under Section 161(3) of the

Code of Criminal Procedure in paragraph 31 of the case diary. The said Puja Kumari was sponsored by the police for recording her statement under Section 164 of the Code of Criminal Procedure in which she has not named the petitioner as one of the miscreants, who participated in the commission of crime. Learned counsel for the petitioner has drawn the attention of the Court towards the statement of Puja Kumari, as contained in Annexure-2 to the present application.

Despite repeated calls, none appears on behalf of the State.

Regard being had to the statement of Puja Kumari, as contained in Annexure-2 to the present application, the petitioner Anand Kumar @ Anand Kumar Mandal is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria in connection with Forbesganj (Simraha) P.S.Case No. 351 of 2016.

(Ashwani Kumar Singh, J)

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