

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.39449 of 2016

Arising Out of PS.Case No. -40 Year- 2015 Thana -SAMASTIPUR MUFFASIL District-
SAMASTIPUR

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1. Md. Mukhtar @ Munna Khan Late Md. Mobin @ Md. Mosin Resident of
Village- Balaha(Bahadura), P.S. - Singhia, District - Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhimanyu Sharma

For the Opposite Party/s : Mr. Navin Kumar Pandey

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**

ORAL ORDER

4 24-11-2016

Heard both sides.

The petitioner seeks bail in Samastipur (Muffasil)

P.S. case No. 40 of 2015 under Section 364/34, 120B of the Indian
Penal Code.

The informant alleged that his son went along with
Jitendra Kumar to drive the vehicle of Babloo Tiwari but he did
not return. When the informant enquired from Jitendra Kumar he
disclosed that his son would return.

The learned counsel for the petitioner submits that
Jitendra Kumar has filed a case for theft of his Scorpio vehicle.
During the course of investigation, one Raman Kumar Singh @
Munna Singh confessed his guilt and disclosed that he along with
Mukhtar @ Munna Khan, the petitioner, Sunil Yadav and Dipak
Kumar killed the driver of Scorpio and Sunil Yadav and Dipak

fled away with Scorpio. Save and except confessional statement of Raman Kumar Singh, who disclosed the name of petitioner, there is no other material to show the involvement of the petitioner in the alleged crime. Other accused persons have already been enlarged on bail.

The learned Additional Public Prosecutor, however, opposed the prayer for bail.

Considering the fact that save and except disclosure made by Raman Kumar Singh, a co-accused, in his confessional statement that petitioner was also with him at the time of killing of Pankaj Kumar, the I.O. collected no further material to show the involvement of the petitioner and other co-accused persons have already been granted bail, the above named petitioner is directed to be enlarged 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 1st Additional Sessions Judge-Samastipur in Sessions Trial No. 138 of 2016, arising out of Samastipur Muffasil P.S. Case No. 40 of 2015.

(Prabhat Kumar Jha, J)

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