

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.26112 of 2016

Arising Out of PS.Case No. -43 Year- 2015 Thana -KARJAIN District- SUPAUL

Md. Hajrat, son of Late Md. Sultan, resident of Village- Satanpatti, P.S.- Ratanpur, District- Supaul.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Rakesh Kumar Jha, Advocate.

For the Opposite Party : Mr. Parmanand Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 20-09-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 09.12.2015 in connection with Karjain P.S. Case No. 43 of 2015 for the offences instituted under Sections 364, 365 and 120(B)/34 of the IPC. Later on, Sections 302 and 201 of the IPC were also added.

The prosecution story, in brief, is that Md. Yusuf, the elder brother of the informant, proceeded for his house from his office on the motorcycle and on the way he was kidnapped with his Mobile Phone bearing No. 9471848786, later on his dead body was recovered from the bank of river in Madhubani District.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 09.12.2015 and the charge sheet has

been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioner. The petitioner has got no criminal antecedent. He is not named in the FIR. He has been made accused in the present case on the basis of confessional statement of co-accused. Except for that there is no other substantive evidence to show the implication of the petitioner in the present case. The other co-accused have been granted bail by another co-ordinate Bench of this Court vide Annexures-2 series to the present application.

On behalf of the State, it has been submitted that the name of the petitioner has come in course of investigation.

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 J.M. Ist Class, Birpur, Supaul, in connection with Karjain P.S. Case No. 43 of 2015.

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(Sudhir Singh, J)