

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39007 of 2016

Arising Out of PS.Case No. -18 Year- 2016 Thana -SONBERSA District- SAHARSA

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Chandradeo Mukhiya

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma

For the Opposite Party/s : Mr. Sri Umanath Mishra

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO

ORAL ORDER

2 17-09-2016 Heard the learned counsel for the petitioner and the learned
A.P.P. also.

The petitioner, Chandradeo Mukhiya, is in custody since
08.03.2016 in Sonbarsa P.S. Case No.18 of 2016 under Section
363, 364, 302, 201 IPC.

The allegation is that the FIR named accused person
including this petition called the father of the informant on one
pretext or the other and thereafter the father of the informant did
not return.

The learned counsel for the petitioner submitted that except
this suspicion that the petitioner and co-accused took the father of
the informant thereafter he was not found. There is nothing on
record against the petitioner and on that ground, the District Judge
himself has granted bail to the petitioner on 11.08.2016.

However, subsequently, the said bail order has been cancelled only on the ground that the petitioner did not disclose the fact that on the date of granting bail, the case had already been committed to the Court of Session.

Perused the order dated 11.08.2016 whereby the petitioner was granted bail by the District Judge himself and also order cancelling the said bail order.

In view of the above peculiar facts and circumstances of the case that earlier the petitioner had already been granted bail which has been cancelled only on the ground that the fact regarding commitment of the case had not been pointed out to the District Judge at the time of hearing of the regular bail application, I direct that the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-I, Saharsa in connection with Sonbarsa P.S. Case No.18 of 2016.

(Mungeshwar Sahoo, J)

Sanjeev/-

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