

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25680 of 2016

Arising Out of PS.Case No. -19 Year- 2015 Thana -SIMULTALA District- JAMUI

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Kamrul Mian S/o Sahid Mian resident of village - Kanodi, P.S. Chandan (Bhairoganj O.P.), District - Banka

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 11-08-2016

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted under Sections 302, 201 and 379/34 of the Indian Penal Code.

Allegation is that son of the informant was found murdered by cutting his neck and Rs.5,000/- and a mobile phone of the deceased was also robbed.

It has been submitted on behalf of the petitioner that he is in custody since 31.3.2016. Chargesheet has been submitted against the petitioner. Petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses against the petitioner. Petitioner is not named in the F.I.R. For the first time, name of the petitioner has come in the statement of one Jasmin Murmu recorded under Section 161 of the Code of Criminal Procedure. Subsequently, the said witness was examined under Section 164 of the Code of Criminal Procedure where she has contradicted the earlier statement made under Section 161 of the Code of Criminal Procedure. Except for suspicion, there is no other material against the petitioner. Co-accused has been granted bail by a coordinate Bench of this Court vide Cr. Misc. no. 25529 of 2016.

On behalf of the State, it is submitted that petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let 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 Chief Judicial Magistrate, Jamui, in connection with Simultalla P.S. Case no. 19 of 2015.

(Sudhir Singh, J)

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