

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23087 of 2016

Arising Out of PS.Case No. -642 Year- 2015 Thana -SHASTRINAGAR District- PATNA

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Dewashish Sharan @ Devashish Sharan, s/o Sri Sadhu Sahran, Resident of
Village- Ratanpura, P.S.- Islampur, District- Nalanda, At Present
Rukunpura, Tenant of Deepu Singh, P.S.- Shastri Nagar, Dist. Patna

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Uday Shankar Choudhary, Advocate

For the Opposite Party : Mr. Dashrath Mehta (APP)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 03-08-2016

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody in connection
with Shashtri Nagar P.S. Case No. 642 of 2015 (G.R. No. 9080 of
2015) for the offences instituted under Sections 302, 363, 201/34 of
the Indian Penal Code.

The prosecution story in brief, is that Rohit Kumar
Keshri, the student of 1st year of Veterinary College, went from the
house on 16.12.2015 at about 9 A.M., but he did not return till
evening and then the informant lodged this case. During
investigation, dead body was recovered from Bind Toli Pond under
Digha P.S. and later on the said dead body was identified as of
Rohit Kumar, the petitioner and other co-accused were arrested and

they confessed their guilt and on the basis of their confessional statement, one SIM of the mobile of the deceased was recovered from possession of one Sahdeo Kumar.

It has been submitted on behalf of the petitioner that petitioner is in custody since 04.01.2016. Charge sheet has been submitted in this case. There is no allegation of tampering of the witnesses against the petitioner. Petitioner is not named in the F.I.R. There is no circumstantial evidence to suggest the implication of the petitioner in the present case, nor there is any eye-witness to the alleged occurrence. Other co-accused have been granted bail vide Annexure-3.

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

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 Judicial Magistrate 1st Class, Patna, in connection with Shashtri Nagar P.S. Case No. 642 of 2015.

(Sudhir Singh, J.)

Rajiv/-

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