

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.18584 of 2016

Arising Out of PS.Case No. -86 Year- 2015 Thana -CHHABILAPUR District- NALANDA
(BIHARSHARIFF)

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Rajeev Kumar, Son of Amin Paswan of village / Mohalla - Khairabad
(Mahalpar), P.S. Bihar Sharif, District – Nalanda.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Akhileshwar Pd. Singh, Sr. Advocate.

For the Opposite Party : Mr. Anita Kumari (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 18-05-2016 Heard learned senior counsel for the petitioner and

learned counsel for the State.

The petitioner is languishing in custody since 25.07.2015
in connection with Chhabilapur P.S. Case No. 86 of 2015 for the
offences instituted under Section 302 of the IPC.

The accusation is of killing the son of the informant by
the wife of the deceased, namely, Suman Devi and the petitioner.

Earlier the bail application of the petitioner was rejected
vide Cr. Misc. No. 44113 of 2015 dated 18.12.2015. The said
application was rejected with an observation that the same is
rejected ‘for the present’.

It is submitted that the petitioner is in custody since

25.07.2015. The charge sheet has been submitted in this case. The petitioner has got no criminal antecedent. Although the only evidence is the confessional statement of the co-accused before the police. Except for that there is no other circumstantial evidence to implicate the petitioner in the present case

On behalf of the State it has been submitted that the petitioner is not named in the F.I.R. and on the confessional statement of the co-accused his name has transpired in the present case. A report was called for from the court below. From perusal of the report, it appears that the case has been committed to the Court of Sessions.

Considering the aforesaid facts and circumstances and custody of petitioner, 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 Additional Sessions Judge-VI, Nalanda at Bihar Sharif, in connection with Sessions Trial No. 466/2015, arising out of Chhabilapur P.S. Case No. 86/2015.

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(Sudhir Singh, J)