

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19916 of 2016

Arising Out of PS.Case No. -241 Year- 2014 Thana -JAGDISHPUR District- BHAGALPUR

1. Manish Kumar @ Chandan Kumar Pandey Son of Kapildeo Pandey
resident of village - Sanhauli, P.S. Chitragupt Nagar, District - Khagaria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pravin Kumar Sinha

For the Opposite Party/s : Mr. Sunil Kumar Pandey(App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 06-05-2016 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 364, 365/34 of the Indian
Penal Code.

Petitioner is named in the first information report on
the accusation that victim left along with petitioner and others on
27.08.2014 but after that the victim went missing and thereafter,
informant lodged the present case on 31.08.2014.

It appears from the impugned order that learned
Additional Sessions Judge-VI, Bhagalpur rejected the prayer for
bail of the petitioner only on the ground that earlier he had
rejected the bail applications of several co-accused though

subsequently, the aforesaid co-accused were granted privilege of bail by this court. The approach of learned Additional Sessions Judge-VI, Bhagalpur is not proper and judicious. He ought to have decided the bail petition of the petitioner on merit, taking into consideration that having similar allegation, several co-accused have already been granted privilege of bail by this court. Moreover, it appears that charge sheet against the petitioner has already been submitted.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of 6th Additional Sessions Judge, Bhagalpur in connection with Sessions Trial No. 671 A of 2015, Trial No. 40 of 2016 arising out of Jagdishpur P.S. Case No. 241 of 2014.

(Hemant Kumar Srivastava, J)

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