

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26213 of 2016

Arising Out of PS.Case No. -161 Year- 2015 Thana -KHARIK District- BHAGALPUR

1. Nilesh Kumar Jha, Son of Ganesh Jha, Resident of Village- Bishpuria,
P.S.- Kharik, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Jha
For the State : Smt. Renu Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 23-08-2016 Heard learned counsel for the petitioner and the State.

The petitioner is in custody in a case registered under
Sections 376(D), 307, 120B/34 and 302 of the Indian Penal Code.

Prosecution story in brief, is that as per the FIR the
allegation is that on the pretext of feast the accused persons called
the wife of the informant, committed gang rape and with intent to
kill her brutally assaulted, who died during treatment.

It is submitted on behalf of the petitioner that the
petitioner is in custody since 11.05.2016. The petitioner has got no
criminal antecedent. Charge sheet has been submitted in this case.
Petitioner has named in the FIR merely on the basis of suspicion.
There is no eye witness to the alleged occurrence nor there no any
circumstantial evidence to suggest the implication of the petitioner

in the present case. Co-accused granted bail vide Annexure-3 to the present application.

On behalf of the State, it is submitted that the petitioner is named in the FIR.

Considering the aforesaid facts and circumstances of the case, let above named petitioner, 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 learned A.C.J.M,-II, Naugachia Bhagalpur, in connection with Kharik P.S. Case No. 161 of 2015.

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(Sudhir Singh, J)