

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28985 of 2016

Arising Out of PS.Case No. -359 Year- 2015 Thana -PATNA GRP CASE District- PATNA

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Suraj Kumar son of Late Mundrika Ram, resident of Mohalla Yarpur,
Khagaul Road, Police Station Gardanibagh, District Patna

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2, Advocate

For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 01-09-2016

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the offences under Sections 392 and 304/34 of the I.P.C.

The prosecution story, in brief, is that on the alleged date and time of occurrence the son of the informant, namely, Rakesh Kumar was going to Polytechnic Institute, Bihta by local train, where he was studying. In the train his Mobile was snatched by unknown persons, which was resisted by him and then the miscreants pushed him near Sachiwalaya Halt, as a result of which he fell down from the train and became badly injured. He was admitted to Gardanibagh Hospital by local people and information was given to the informant. She along with her family memebrs rushed there, from where he was referred to P.M.C.H. Her son narrated the entire fact to her. Thereafter he died during course of treatment.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 27.12.2015 and the charge sheet has been submitted in the present case. The petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. The name of the petitioner has come on the confessional statement of co-accused. There is no eye witness to the alleged occurrence nor there is any other circumstantial evidence to suggest the implication of the petitioner. Except that, a Mobile of the deceased is being claimed to have been recovered from the possession of the petitioner.

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

Considering the aforesaid facts and circumstances, it is directed that 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 learned Railway Judicial Magistrate, Patna in connection with G.R.P. Patna P.S. case No.359 of 2015.

(Sudhir Singh, J)

Narendra/-

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