

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.25590 of 2016

Arising out of PS.Case No. -163 Year- 2015 Thana -LADANIA District- MADHUBANI

Naveen Kumar @ Rabin Kumar @ Naveen Kumar Mahto, son of Ramakant Mahto, resident of Village- Banhaiti, P.S.- Bibhutipur, District- Samastipur.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

Appearance :

For the Petitioner : Mr. Ashok Kumar Mishra, Advocate.

For the Opposite Party : Mr. Sri Suresh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH  
ORAL ORDER

4 11-08-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 27.12.2015 in connection with Ladaniya P.S. Case No. 163 of 2015 for the offences instituted under Sections 302/34, 120(B) of the IPC and 27 of the Arms Act.

It is alleged that the elder brother of the informant was killed by some miscreants while he was going to brick-kiln.

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. There is no allegation of tampering of the witnesses alleged against the petitioner. He is not named in the F.I.R. His name has figured on the basis of

confessional statement of co-accused. Except for that there is no substantive piece of evidence to implicate the petitioner in the present case. The other co-accused has been granted bail vide Cr. Misc. No. 25084/2016.

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 C.J.M., Madhubani, in connection with Ladaniya P.S. Case No. 163/2015.

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**(Sudhir Singh, J)**