

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25768 of 2016

Arising Out of PS.Case No. -112 Year- 2013 Thana -MARHAURA District- SARAN

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Tinku Sharma S/o Ramayodhya Sharma R/o Village- Paterahi, P.S.-
Marhawrah, District- Saran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 11-08-2016

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted under Sections 302, 201, 379, 411/34 and 120B of the Indian Penal Code.

Prosecution case, in brief, is that cousin brother of the informant went to sell sand with his tractor but thereafter he did not return. Later on, his dead body was found lying by cutting his neck. Petitioner has been made accused merely on the basis of confessional statement of the co-accused.

It has been submitted on behalf of the petitioner that he is in custody since 7.5.2013. Chargesheet has been submitted against the petitioner. No allegation of tampering of witnesses is alleged against the petitioner. Petitioner is not named in the F.I.R. Except for the confessional statement of the co-accused, there is no other material to suggest his implication in the present case. There is no circumstantial evidence to suggest involvement of the petitioner in the present case.

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

Considering the aforesaid facts and circumstances, let the above named petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VIII, Saran at Chapra, in Sessions Trial no. 151 of 2014 arising out of Marhawarah P.S. Case no. 112 of 2013.

(Sudhir Singh, J)

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