

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32839 of 2016

Arising Out of PS.Case No. -97 Year- 2015 Thana -MUNGER MUFFASIL District- MUNGER

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1. Vivek Kumar @ Mukesh Mandal son of Late Bindeshwari Mandal @ Mandal @ Ajay Kuamr Singh resident of Mohalla- Maksuspur, Kali Asthan , P.S.-Kasim Bazar, District-Munger

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha

For the Opposite Party/s : Mr. Sri Gauri Shankar Gupta

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 17-09-2016 Heard learned counsel for the petitioner and the State.

The petitioner is in custody in a case registered under Sections 302, 201,379, 34 of the Indian Penal Code and 27 of Arms Act.

The allegation against the petitioner and other co-accused is of killing the son of the informant.

It is submitted on behalf of the petitioner that the petitioner is in custody since 16.03.2016.Charge sheet has been submitted in this case. There is no allegation of tampering with the witnesses alleged against the petitioner. Altogether three persons were named in the FIR. The petitioner has not been named in the FIR. Against perfunctory investigation, the informant filed a protest petition .The name of the petitioner do not figure in the

protest petition. There is no eye witness to the alleged occurrence. Except confession of the petitioner before the police, there is no substantive material to suggest the implication of the petitioner in the present case. Other co-accused has been granted anticipatory bail on 20.08.2016 vide Cr.Misc. No. 27559 of 2016.

On behalf of the State, it is submitted that the petitioner is not named in the FIR.

Having considered the 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 C.J.M., Munger in connection with Muffasil P.S.Case No. 97 of 2015.

(Sudhir Singh, J)

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