

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28971 of 2016

Arising Out of PS.Case No. -161 Year- 2016 Thana -KADAMKUAN District- PATNA

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Abhinav Kumar @ Chotu age about 21 years son of Mukesh Kumar @ Karu Singh, Resident of Mohalla- Rajender Nagar Road No. 6B, East side of park, P.O. + P.S.- Kadam Kuan, Dist.- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Sri Damodar Prasad Tiwary

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 25-07-2016 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered under Sections 326, 307, 302, 120(B) and 34 of the Indian Penal Code and under Sections 53, 54 and 55 of the Bihar Excise (Amendment) Act, 2015.

Petitioner is named in the first information report but no specific overt act has been attributed against him except to this extent that when the informant and some witnesses tried to save the deceased, petitioner and other accused caught him. It is admitted case of the prosecution that it was co-accused Raushan Kumar Sharma, who gave several dagger blows to the deceased

causing his death. So far as petitioner is concerned, it is alleged that prior to alleged occurrence, hot exchange of words had taken place between the petitioner and the deceased and except the above stated two circumstances, there appears to be nothing against him. Moreover, it is admitted case of the prosecution that at the time of occurrence, petitioner was unarmed.

Considering the aforesaid facts and circumstances as well as submissions of the parties, 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 Shri Madhavendra Singh, J.M. 1st Class, Patna in connection with Kadam Kuan P.S. Case No.161 of 2016.

(Hemant Kumar Srivastava, J)

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