

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34159 of 2016

Arising Out of PS.Case No. -190 Year- 2010 Thana -NAWINAGAR District- AURANGABAD

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1. Kail Prajapati @ Akash Jee S/o Inderdeo Prajapati r/o village Ajan, P.S. -
Goh in the district of Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh

For the Opposite Party/s : Mr. Sri Narsingh Tanti

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

5 18-11-2016 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-307, 427, 436, 435 & other minor sections of the Indian
Penal Code and 17 of CLA Act.

Petitioner is not named in the first information report
but in course of investigation, co-accused Vijay Yadav was
arrested and confessed his guilt disclosing the involvement of the
petitioner in the present crime. Thereafter, the petitioner was
arrested and he, too, made his confessional statement.

It appears that except the confessional statements as
well as criminal antecedent of the petitioner, there is nothing
against him. Although the prosecution claims that the petitioner is

an active member of banned MCC but except the above-said statement as well as criminal antecedent, the I.O. could not succeed to collect anything to fortify the claim of the prosecution.

Learned counsel appearing for the petitioner submits that having similar allegation, one co-accused namely, Mritunjay Mishra @ Mritunjay Jee @ Mritunjay Mishra has already been granted privilege of bail by a coordinate bench of this court vide order dated 10-07-2015 passed in Cr. Misc. No. 23452 of 2015.

Considering the above-said facts and circumstances of the case as well as submission of the parties, let the petitioner named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Nabinagar P.S. Case No. 190 of 2010 to the satisfaction of learned Chief Judicial Magistrate, Aurangabad

(Hemant Kumar Srivastava, J)

A.K.V./-

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