

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46234 of 2016

Arising Out of PS.Case No. -57 Year- 2009 Thana -DEORIYA District- MUZAFFARPUR

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Maya Das, Son of Late Shakhichand Das, Resident of Village- Bishunpur Sarraiya, P.S. – Deoriya, District-Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Upendra Kumar Chaubey, Advocate.

For the Opposite Party : Mr. Ashok Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 20-12-2016 Heard both sides.

The petitioner seeks bail in Deoriya P.S. Case No. 57 of 2009, registered for the offences punishable under Sections 302 and 201 of the Indian Penal Code.

The informant went to beetle shop of her son but her son was not there. The informant alleged that Maya Das and others kidnapped her son for the purpose of murder.

Learned counsel for the petitioner submits that there is no eye witness of the occurrence. Mahadeo Paswan is said to have disclosed the name of the petitioner in his statement in paragraph- 107 of the case diary. Thereafter, Munna Singh, Bindeshwari Das, Mahadeo Das disclosed that Mahadeo Paswan and others were taking the deceased Ganesh.

Learned counsel for the petitioner submits that similarly



situated co-accused Mahadeo Paswan has already been enlarged on bail vide order dated 27.03.2012 passed in Cr. Misc. No. 44725 of 2011 on the ground that the witnesses who are said to be eye witness of the occurrence deposed before the police after two years of the occurrence.

Considering the facts aforesaid, the petitioner above named is directed to be enlarged 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 Sub-Divisional Judicial Magistrate, West Muzaffarpur in Deoriya P.S. Case No. 57 of 2009.

(Prabhat Kumar Jha, J.)

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