

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18641 of 2016

Arising Out of PS.Case No. -354 Year- 2013 Thana -KANTI District- MUZAFFARPUR

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Pankaj Mishra Son of Late Dilip Mishra, resident of village - Paltu Belwa,
P.S. Chakiya, District - East Champaran

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Nachiketa Jha, Advocate.

For the Opposite Party : Mr. A.A.Khan (APP)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 19-07-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody in connection
with kanti P.S. Case No. 354 of 2013 for the offences instituted
under Sections 302/34 of the Indian Penal Code and Section 27 of
the Arms Act.

The prosecution story in brief, is that on 04.10.2013 at
7.00 A.M., the petitioner along with other co-accused came at the
door of the informant by Red Bolero and called on the grand son
of the informant namely Monu Kumar and brought him. It is
further alleged by the informant that on 05.10.2013 at about 9.30
A.M., he got information from Kanti Police Station that Monu
Kumar was murdered and someone has kept the dead body on

N.H.28 and after the said message, the informant went at S.K.M.C.H., Muzaffarpur and identified the dead body. The informant claims that the petitioner along with other co-accused persons killed the grand son of the informant.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 12.01.2016. The charge sheet has been submitted and the petitioner has got no criminal antecedent. There is no allegation of tampering with the evidence against the petitioner. As per the prosecution case, it is a case of last seen. There is no eyewitness to the alleged occurrence nor there is any circumstantial evidence to suggest the implication of this petitioner in the present case.

On behalf of the state it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, 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 the learned S.D.J.M., (West) Muzaffarpur, in connection with Kanti P.S. Case No. 354 of 2013.

(Sudhir Singh, J.)

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