

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19663 of 2016

Arising Out of PS.Case No. -97 Year- 2014 Thana -KOTWALI District- PATNA

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ABHISHEK KUMAR @ ABHISHEK SINGH, Son of Santosh Singh,
Resident of village - Barap, P.S. Garhani, District – Bhojpur.

.... Petitioner.

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sudha Chandra

For the Opposite Party/s : Mr. Narsingh Tanti(App)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 11-05-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner is accused in connection with Kotwali
P.S. Case No. 97 of 2014, registered under Section 364(A) and
120-B of the Indian Penal Code.

Learned counsel for the petitioner submits that
petitioner is not named in the F.I.R. In course of investigation, it
has come that petitioner was found at the house of co-accused
Girish Pathak and Pradeep Kumar Pathak, from where the victim
Shivam was recovered. Further submission is that, in fact, the
co-accused Pradeep Kumar Pathak was tenant of the petitioner
and due to that reason, he has gone to his house where the
petitioner along with Pradeep Kumar Pathak was sitting.

Moreover, the statement of victim Shivam Khandelwal was recorded under Section 164 of the Cr.P.C. in which he has not disclosed the role of the petitioner in the said occurrence. The petitioner is in custody since 09.02.2014.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Addl. District and Sessions Judge-XII, Patna in connection with Kotwali P.S. Case No. 97 of 2014 (S.T. No. 752 of 2014). Out of two sureties, one surety must be the parents/close relative of the petitioner, who will file an affidavit showing his relation with the petitioner.

(Rajendra Kumar Mishra, J)

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