

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45328 of 2015

Arising Out of PS.Case No. -173 Year- 2015 Thana -BAKHTIYARPUR District- PATNA

1. Kamli Devi W/o Sabindra Paswan resident of village - Chakdaulat, P.S.
Bakhtiyarpur, District - Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Sinha

For the Opposite Party/s : Mr. Dr. Indihar Kumari (App)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 09-02-2016 Heard learned counsel for the petitioner and learned

counsel appearing on behalf of the State. Learned counsel for the

informant is also present.

Diary in the present case was called for, which has since

been received.

The petitioner is in custody since 15.07.2015, in

connection with Bakhtiyarpur P.S. Case No. 173 of 2015,

registered for offences punishable under Sections 363, 365, 302,

364(A), 120(B) and 201 of the Indian Penal Code.

Learned counsel for the petitioner submits that the

petitioner is not named in the F.I.R, and only on the confessional

statement made by one co accused, namely, Md. Raja, the

petitioner name has transpired in the present case. It is further

submitted that even if the confessional statement is taken into consideration, the only role played by the petitioner seems to be that when the said Md. Raja went to the house of the petitioner, (mother of the co-accused Pankaj Paswan @ Lulha,) the petitioner gave Md. Raja, the cane of acid, which is alleged to have been used in the murder of the deceased boy.

Considering the aforementioned facts and circumstances and that the petitioner's name has surfaced only on account of a confessional statement made by the co-accused Md. Raja, there is no further cogent material in case diary to connect the petitioner with alleged occurrence, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 10,000 (Rs. Ten Thousand) with two sureties of the like amount each to the satisfaction of Addl. Chief Judicial Magistrate, Barh in connection with Bakhtiyarpur P.S. Case No. 173 of 2015.

(Anjana Mishra, J)

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