IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28573 of 2016

Arising Out of PS.Case No. -45 Year- 2016 Thana -BANIAPUR District- SARAN

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1. Munna Thakur @ Vijay Kumar Singh Son of Sri Shivji Singh@Shivjee Thakur Resident of Village- Nethuan, P.S- Marhaura, District- Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner : Mr. Shashi Bhushan Kumar Manglam
For the Opposite Party/s : Mr. Sri Binod Kumar 3

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

8 06-12-2016 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-302, 120(B), 201/34 of the Indian Penal Code and 27 of the Arms Act.

Petitioner is not named in the first information report and the present case was lodged against accused Naresh Rai. The aforesaid co-accused Naresh Rai was made accused as the trail of blood was found in his Palani. Subsequently, the statement of wife of aforesaid Naresh Rai was recorded and she stated that two unknown persons along with her husband, had stayed in her Palani in previous night and on next morning, both the aforesaid two unknown persons were found missing. The aforesaid co-accused

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Naresh Rai was arrested and made his confessional statement, disclosing this fact that he was hired by the petitioner through Shambhu Rai for killing the deceased persons of the present case. The investigation against the petitioner has already been completed and except the aforesaid confessional statement of co-accused, Naresh Rai, there is nothing against him. The petitioner is languishing in jail custody since 01-01-2016.

No doubt, the petitioner does have criminal antecedent of some cases but in the present case, except confessional statement of co-accused Naresh Rai, there is nothing against him.

Accordingly, the petitioner named above, is directed to 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 Baniapur P.S. Case No. 45 of 2016 to the satisfaction of Sri Rakesh Kumar Yadav, learned Judicial Magistrate-Ist Class, Saran at Chapra.

(Hemant Kumar Srivastava, J)

A.K.V./-

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