

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35654 of 2016

Arising Out of PS.Case No. -359 Year- 2015 Thana -PATNA GRP CASE District- PATNA

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1. Sunil Kumar, son of Sri Ashok Chauhan, resident of Village- Dagarpur Birla Colony, P.S.- Phulwari Sharif, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 24-10-2016

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the offences under Sections 392 and 304/34 of the I.P.C. Later on, Sections 394, 302 and 411 of the I.P.C. are added.

The prosecution case, in brief, is that on the alleged date and time of occurrence the son of the informant, namely, Rakesh Kumar was going to Polytechnic Institute, Bihta by local train, where he was studying. In the train his Mobile was snatched by unknown persons, which was resisted by him and then the miscreants pushed him near Sachiqalya Halt, as a result of which he fell down from the train and became badly injured. He was admitted to Gardanibagh Hospital by local people and information was given to the informant. She along with her family members rushed there, from where he was referred to P.M.C.H. Her son narrated the entire fact to her. Thereafter he died during course of

treatment.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 28.12.2015 and the charge sheet has been submitted in the present case. The petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. Except for the confessional statement of the co-accused there is no other substantive evidence to suggest his implication in the present case. The other co-accused has been granted bail vide Cr.Misc.No.28985 of 2016.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that 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 learned Judicial Magistrate Rail, Patna in connection with G.R.P. Patna Jn P.S. case No.359 of 2015.

(Sudhir Singh, J)

Narendra/-

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