

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39578 of 2016

Arising Out of PS.Case No. -65 Year- 2014 Thana -BAHADURPUR District- DARBHANGA



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Phool Babu Singh @ Chintu Singh son of Vashistha Singh resident of
Village - Machhakaul Sitamarhi, at present Bahadurpur, P.S. - Phekna, O.P.
District - Darbhanga.

..... Petitioner

Versus

The State of Bihar.

..... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Yadav, Advocate

For the Opposite Party/s : Mr. Ahmad Ali, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 17-09-2016 Heard learned counsel for the petitioner and

learned counsel for the State.

The petitioner seeks bail in connection with
Bahadurpur P. S. Case No. 65 of 2014 registered under Section
364/34 of the Indian Penal Code.

It is contended by the learned counsel for the
petitioner that the petitioner is not named in the FIR and his
name transpired in course of investigation on the basis of
confessional statement of Himeshwar Mishra and Santosh
Choudhary. Himeshwar Mishra has already been granted bail by



a co-ordinate Bench of this Court, vide order dated 18.02.2015, passed in Cr. Misc. No. 3000 of 2015. It is further contended that co-accused Shashi Kumar @ Shashi Singh and Rakesh Kumar @ Brigadiar have also been granted bail in Cr. Misc. No. 399975 of 2014 and Cr. Misc. No. 42195 of 2014 respectively. Referring to the impugned order passed by the learned Sessions Judge, it is contended that co-accused Sanjay Singh and Guddu Mishra have also been granted pre-arrest bail by different Benches of this Court vide order dated 29.01.2015 passed in Cr. Misc. No. 28533 of 2014 and order dated 06.02.2015 passed in Cr. Misc. No. 29803 of 2014 respectively. It is further contended that Prajesh Kumar @ Prayesh Kumar Rai has also been granted pre-arrest bail by a co-ordinate Bench of this Court vide order dated 03.02.2015 passed in Cr. Misc. No. 30776 of 2014. It is also contended that the case of the petitioner stands on better footing to the other co-accused who have already been granted bail.

Learned counsel for the State has conceded that co-accused have already been granted bail in connection with the aforesaid case.

Regard being had to the reasons assigned in the order dated 03.02.2015 passed in Cr. Misc. No. 30776 of 2014

as contained in Annexure-4 to the application, the petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Darbhanga in Bahadurpur P. S. Case No. 65 of 2014.

(Ashwani Kumar Singh, J.)

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