

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26294 of 2016

Arising Out of PS.Case No. -69 Year- 2015 Thana -CHATOUNI District-
EASTCHAMPARAN(MOTIHARI)

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1. Mithilesh Kumar @ Mithilesh Kumar Rai @ Pinku S/o Girija Nandan Prasad Rai Resident of Village/Mohalla- Pataura, P.S. - Muffasil Motihari, District-East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Sri Shailendra Kumar -2

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 11-07-2016 Heard learned counsel for the petitioner, learned Additional Public Prosecutor for the State as well as learned counsel appearing for the wife of the deceased.

Petitioner seeks bail in a case, initially, registered for the offences punishable under Sections 307, 326/34 of the Indian Penal Code and Section 27 of the Arms Act and subsequently, Sections 120B, 302 of the Indian Penal Code were also added.

The present case was registered against unknown persons but in course of investigation, one Ravi Kumar Sahani was arrested and made his confessional statement disclosing this fact that Rajan Sahani and Chandan Ram were entrusted by him for committing the murder of the deceased at the behest of one

Rajeev Kumar Rai and after that some other accused were arrested and made their confessional statement. So far as petitioner is concerned, he happens to be brother of Rajeev Kumar Rai.

Learned counsel appearing for wife of the deceased points out that in course of investigation tower location of mobile phone of the petitioner was found near the place of occurrence.

Moreover, co-accused, Rabbi Kumar Sahani @ Ravi Kumar Sahani, Rajan Sahani and Krishna Yadav have already been granted privilege of bail by different Benches of this Court and the case of this petitioner is on better footing to that of above stated co-accused persons.

Considering the aforesaid facts and circumstances as well as submissions of the parties and also taking note of this fact that petitioner does not have any criminal antecedent, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Motihari, East Champaran in connection with Chhatauni P.S. Case No. 69 of 2015.

(Hemant Kumar Srivastava, J)

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