

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35617 of 2016

Arising Out of PS.Case No. -385 Year- 2015 Thana -RAJIVNAGAR District- PATNA

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Chandan Kumar @ Nepali Son of Sri Sunil Kumar Resident of Mohalla-
C.D.A. Colony, P.S. Shastri nagar, District Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Shiva Shankar Prasad Singh

For the Opposite Party : Smt Renu Kumari

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 24-10-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case instituted under
Sections 147, 148, 149, 387, 341, 323, 324, 504, 506, 307, 302,
448, 120(B) of the Indian Penal Code and Section 27 of the Arms
Act.

The prosecution case, in brief, is that the informant is a
land broker and he along with his business partners namely Deo
Raj @ Jaikant, Manjeet Kumar Singh and others were looking
after his construction work, in the meantime, accused Niraj Singh,
Sunil Singh, Sanjay Singh, Nakat Gope, Jai Prakash Yadav @ J.P,
Manoj Gope @ Manoj Rai, Tinku and others after forming an
unlawful assembly came there and obstructed the work. It is
further alleged that the accused persons assaulted Deoraj Singh @
Jaikant, Manjeet Kumar Singh and Kishlay Singh by *lathi* on

which Deoraj Singh @ Jaikant succumbed to death and Manjeet Kumar Singh and Kishlay Singh sustained injuries on their person.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 21.01.2016. 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 First Information Report. Except for confessional statement of co-accused, there is no other substantive evidence to suggest his implication in the present case. The other co-accused persons have been granted bail vide Annexure-2 to the present application.

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

Considering the aforesaid facts and circumstances, let 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 the learned Chief Judicial Magistrate, Patna in connection with Rajiv Nagar P.S. Case No. 385 of 2015.

(Sudhir Singh, J.)

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