

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26118 of 2016

Arising Out of PS.Case No. -715 Year- 2015 Thana -DANAPUR District- PATNA

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1. Nakul Kumar @ Mukul Mahto S/o Sankar Mahto, vill Nasriganj, P.S. Danapur, District Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar

For the Opposite Party/s : Mr. Sri Atul Chandra

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 23-08-2016

Heard learned counsel for the petitioner and the State.

The petitioner is in custody in a case registered under Section 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

Prosecution case in brief, is that the informant Sunil Kumar Mahto, gave his written report, before the S.H.O., Danapur P.S., Patna, to the effect that the deceased Sumit Kumar was working as a compounder and due to playing cards, accused persons have murdered the son of the informant in connivance with each other.

It is submitted on behalf of the petitioner that the petitioner is in custody since 27.12.2015. The petitioner has got no criminal antecedent. Charge sheet has been submitted in this case.

Petitioner has been named merely on the basis of suspicion. There is no eye witnesses to the alleged occurrence. As per the confession of the petitioner, a country made pistol along with the cycle has been recovered there is no evidence to show that the recovered arm is said to have been used in course of occurrence. Recovered cycle has also not been put on Test Identification Parade.

On behalf of the State it is submitted that the petitioner is named in the FIR.

Considering the aforesaid facts and circumstances of the case, let above named petitioner, 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 A.C.J.M, Danapur, in connection with Danapur P.S. Case No. 715 of 2015.

siddharth/-

(Sudhir Singh, J)

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