

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14746 of 2016

Arising Out of PS.Case No. -43 Year- 2015 Thana -KARJAIN District- SUPAUL

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1. Guddu Kumar Sharma S/o Dinesh Sharma R/o village - Khari, P.S.
Murliganj, District - Madhepura

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra

For the Opposite Party/s : Mr. Pushpa Sinha-Ii(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

4 15-07-2016

Heard the learned counsel for the petitioner, the
learned A.P.P for the State as also the learned counsel for the
Informant.

The petitioner seeks bail in a case for the offences
punishable under sections 364, 365, 302 and 201 of the I.P.C

Allegedly, Md. Yusuf, the elder brother of the
informant, proceeded for his house from his office on the
motorcycle and in the way he was kidnapped with his mobile
bearing no. 9471848786, later on his dead body was recovered
from the bank of river in Madhubani district.

Submission is of false implication and that the
petitioner is not named in the First Information Report, there is no
legal and tangible material against him, besides the confessional
statement there is no other material against the petitioner, the
recovery of vehicle is no ground to implicate the petitioner in the

crime, further as the petitioner has talked with co-accused Md. Nayeem so on this ground also the petitioner cannot be implicated, other co-accused have been allowed bail by different Benches of this Court, to which the learned A.P.P. duly assisted by the learned counsel for the informant opposes prayer for bail by submitting that the petitioner also confessed his guilt.

In the facts and circumstances as stated above, considering that other co-accused have been allowed bail, charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence and as such the petitioner is directed to 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 J.M. 1st Class, Birpur within District- Supaul in Karjain P.S. Case No. 43 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

Abhay/-

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