

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10701 of 2017

Arising Out of PS.Case No. -31 Year- 2015 Thana -WARSALIGANJ District- NAWADA

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1. Nishu Kumar Son of Subodh Kumar resident of village - Manama, Police Station - Hisua in the district of Nawada.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar

For the Opposite Party/s : Mr. Sri Mritunjay Kumar Nirala

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 08-06-2017 Heard learned counsel for the petitioner and the State.

Petitioner seeks bail in Warisaliganj P.S. Case No.31 of 2015 for the offences punishable under Sections 302, 392/34 I.P.C. and Section 27 of the Arms Act.

It has been submitted on behalf of the petitioner that the petitioner has been maliciously dragged in this case with false accusation. The petitioner is not named in the FIR and he was arrested merely on confessional statement of the co-accused Bipin Kumar which has got no evidentiary value in the eye of law. On conclusion of investigation the police have submitted the charge-sheet against the accused persons including the petitioner. Nothing incriminating has been recovered from the possession of



the petitioner and he is in custody since 27.04.2015. Moreover, similarly situated other accused persons namely Mukesh Kumar Mahto @ Mukesh Mahto, Vipin Singh @ Teni Singh and Devendra Kumar Pandey @ Baba @ Devendra Pandey have been granted bail by other Co-ordinate Benches of this court vide Criminal Miscellaneous No. 27890 of 2016, Criminal Miscellaneous No. 51558 of 2015 and Criminal Miscellaneous No.24869 of 2016.

Learned APP for the State opposes the prayer for bail.

Considering the above facts and circumstances, this petition for bail is allowed and the petitioner named above, 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 learned **C.J.M. Nawada**, in connection with **Warisaliganj P.S. Case No.31 of 2015.**

(S. Kumar, J)

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