

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10901 of 2017

Arising Out of PS.Case No. -311 Year- 2015 Thana -AHIAPUR District- MUZAFFARPUR

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1. Amar Choudhary @ Amar Kumar S/o Chandeshwar Choudhary R/o Shekhpura Mai Ashthan, P.S.- Ahiyapur, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar -3

For the Opposite Party/s : Mr. Sri Dilip Kumar

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 29-03-2017 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner is in custody since 23.08.2016 in connection with Ahiyapur P.S. Case No. 311 of 2015 registered under Sections 394, 302, 120B of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner has submitted that the petitioner has not been named in the F.I.R. and merely on the basis of confessional statement of the co-accused, Chandan Kumar Jha, who has already been granted bail by a co-ordinate Bench of this Court in Cr. Misc. No. 6510 of 2017, name of this petitioner has surfaced in this case. Nothing incriminating has been recovered from the conscious possession of the petitioner. Moreover, one of accused, namely, Awadhesh Sah, on whose instance, name of Chandan Kumar Jha was



dragged in this case has been acquitted by the learned Trial Court in S.Tr. No. 560 of 2015. The petitioner is rotting in custody for the last seven months.

Considering the nature of accusation, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand rupees only) with two sureties of the like amount each to the satisfaction of the 10th Sub-Judge-cum- A.C.J.M., Muzaffarpur in connection with Ahiyapur P.S. Case No. 311 of 2015.

(Arvind Srivastava, J)

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