

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44456 of 2017

Arising Out of PS.Case No. -73 Year- 2017 Thana -SULTANGANJ District- BHAGALPUR

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Kanhaiya Das Son of Vijay Das Resident of Village-Shahabad P.S.
Sultanganj, District-Bhagalpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance:

For the Petitioner/s : Mr. Davendra Kumar Pandey, Advocate.

For the Opposite Party/s : Ms. Anita Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

2 20-09-2017 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is seeking regular bail in S.T. No.
654/17, arising out of Sultanganj P.S. Case No. 73/17 registered
under Sections 302/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
f.I.R. is based on suspicion, the name of the petitioner is not there
in the F.I.R. but his name transpired in course of investigation in
view of the confessional statement of a co-accused Shankar Das. It
is further submitted that the said Shankar Das has already been
granted regular bail by a co-ordinate bench of this Court in Cr.
Misc. No. 45926/2017 vide order dated 19.09.2017, a copy of the
order is not available presently but the status report has been
placed before this Court.



Learned A.P.P. representing the State opposed the prayer for regular bail.

The learned 3rd Additional Sessions Judge, Bhagalpur while rejecting the prayer for bail of this petitioner vide order dated 04.08.2017 has also recorded that the name of this petitioner transpired in the confessional statement of Shankar Das.

Considering the fact that Shankar Das has already been granted regular bail by a co-ordinate bench of this Court and that the petitioner has clean antecedent, as per the statement made in paragraph 3 of the application, let the petitioner, namely, Kanhaiya Das, be released on bail on his furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned 3rd Additional District & Sessions Judge, Bhagalpur in S.T. No. 654/17, arising out of Sultanganj P.S. Case No. 73/17, subject to the conditions as laid down under Section 437(3) Cr.P.C.

(Rajeev Ranjan Prasad, J)

Dilip, AR

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