

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46082 of 2017

Arising Out of PS.Case No. -85 Year- 2017 Thana -BAIRIYA District-
WESTCHAMPARAN(BETTIAH)

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Sunil Patel son of Mohan Raut, resident of Village- Bargachhiya Dabra
Tola, P.S.- Bairiya, District- West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra
For the Opposite Party/s : Mr. Madhuranand Jha

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**
ORAL ORDER

2 21-09-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Bairiya
P.S. Case no. 85 of 2017 registered for the offence punishable
under Sections 341, 307, 504/34 of the Indian Penal Code.

Son of the informant was shot by unknown miscreant
while he was on his way to his house.

It is submitted by the learned counsel for the
petitioner that the petitioner is not named in the F.I.R. Nothing
incriminating article has been recovered from his conscious
physical possession. One Raju Chaudhary was having love affair
with the would be bride of the victim and in order to remove the



victim from his way, he got the aforesaid occurrence committed by hiring two persons namely, Santosh and Bullet. The name of the petitioner has surfaced in the case on the basis of his confessional statement before police which has no evidentiary value in the eye of law. The said Raju Chaudhary has been enlarged on bail by a co-ordinate Bench of this Court vide order dated 25.07.2017 passed in Cr. Misc. no. 26049 of 2017. The petitioner has been languishing in custody since 10.07.2017.

Considering the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Bettiah, District-West Champaran in connection with Bairiya P.S. Case no. 85 of 2017.

(Prakash Chandra Jaiswal, J)

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