

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.43007 of 2017

Arising Out of PS.Case No. -75 Year- 2017 Thana -BARGANIA District- SITAMARHI

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Rakesh Jha son of Late Tej Naryan Jha, resident of Village- Pachtakki
Yadu, P.S.- Bairganja, District- Sitamarhi.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ashok Kumar Jha, Advocate.

For the Opposite Party : Mr. Kalyan Shankar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

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

The petitioner is languishing in custody since
31.03.2017 in a case for the offence registered under Sections 302,
307, 120(B)/34 of the IPC and 27 of the Arms Act.

The prosecution story, in brief, is that one miscreant
came having country made pistol and fired upon the uncle of the
informant. He sustained injury and he was admitted in hospital.

It has been submitted by learned counsel for the
petitioner that the petitioner is in custody since 31.03.2017.
Charge sheet has been submitted in the present case. There is no
allegation of tampering with the witnesses alleged against the
petitioner. The petitioner is not named in the F.I.R. His name has



come merely on the basis of suspicion. There is no other substantive evidence to suggest his implication in the present case.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M. Sitamarhi in connection with Bairgania P.S. Case No. 75 of 2017.

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(Sudhir Singh, J)

