

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 52894 of 2017

Arising Out of PS. Case No.-147 Year-2017 Thana- Siswan District- Siwan

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1. Uma Shankar Mallah son of Kashi Mallah.
 2. Jitendra Mallah son of Baijnath Mallah.
 3. Suman Singh son of Siya Ram Singh.

All are resident of village Ganjpur P.S. Siswan, District – Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kaushal Kumar Singh

For the Opposite Party/s : Mr. Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 09-11-2017 At the very outset, Sri Kaushal Kumar Singh, learned counsel for petitioners, in presence of Sri Dinesh Singh, learned Addl. Public Prosecutor, submits that during pendency of this petition, petitioner no. 1 (Uma Shankar Mallah) and petitioner no. 2 (Jitendra Mallah) have already been arrested and as such, the petition, so far as petitioner no. 1 and 2 is concerned, stands dismissed as same has become infructuous.

It was submitted by learned counsel for the petitioner (Suman Singh) that petitioner has been made accused only on confessional statement of co-accused and except confessional statement, there is no other material to connect him in the present case, whereas, petitioner is having clean antecedent, which fact has been stated in paragraph – 3 of the petition.



In view of the fact that petitioner has been made accused on confessional statement of co-accused and he is having clean antecedent, in the event of arrest or surrender within a period of six weeks from today, let the petitioner namely Suman Singh, S/o Siya Ram Singh be enlarged 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 Additional District & Sessions Judge 2nd, Siwan in connection with Siswan P.S. Case No. 147 of 2017, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J.)

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