

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10319 of 2017

Arising Out of PS.Case No. -401 Year- 2016 Thana -ARARIA District- ARRARIA

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1. Munna Sharma @ Manish Kumar, Son of Laxmi Narayan Sharma,
resident of village - Gairki, Police Station Jokihat, District - Araria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh, Advocate

For the Opposite Party/s : Smt. Veena Rani Prasadd (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 13-04-2017 Heard learned counsel for the petitioner, learned
counsel for the informant and also learned counsel for the State.

The petitioner apprehends his arrest in connection
with Araria P.S. Case No. 401 of 2016, registered for the offences
punishable under Sections 302/201/34 of the Indian Penal Code.

Allegedly, Kanahiya Kumar Yadav, the son of the
informant, was killed by F.I.R. named accused persons and
unknown and a pistol was kept on the body. During investigation
the name of the petitioner transpires in the confessional statement
of co-accused Santosh Kumar Sharma and Parmanand Sharma.

Submission is of false implication and that there is no
eye-witness of the occurrence, no one has seen the actual killing,
the petitioner has been named after six months of the occurrence,



in the confessional statement of Santosh Kumar Sharma and further Parmanand Sharma besides suspicion there is nothing against the petitioner and petitioner has got no criminal antecedent. In this case Lalita Devi who is named in the F.I.R. and further Santosh Kumar Sharma have been allowed bail and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of pre-arrest bail.

In the facts and circumstances as stated above, considering that the name of the petitioner has come in the confessional statement of co-accused and besides that there is nothing against the petitioner, and as such, the petitioner in the event of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released 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 Chief Judicial Magistrate, Araria, in connection with Araria P.S. Case No. 401 of 2016, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

Rajiv/-

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