

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50476 of 2017

Arising Out of PS.Case No. -4 Year- 2017 Thana -SAMSTIPUR RAIL P.S District- SAMASTIPUR

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1. Birendra Kumar @ Birendra Kumar Jaiswal Son of Raghunath Prasad Jaiswal, R/o Mohalla- Pethiya Gachhi Ward No.23, P.S.- Samastipur (Town), District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Rana Sanjay Kumar Singh, Adv.
For the Opposite Party/s	:	Mr. Sri Bhanu Pratap Singh, A.P.P.
For the Informant	:	Mr. S.N.P. Sinha, Sr. Adv.
	:	Mr. Birendra Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 08-12-2017 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of G.R.P. SPJ (Samastipur Rail) Police Station Case No. 04 of 2017, disclosing offences under Sections 302, 34 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has not committed any offence. In fact, the petitioner has not been named in the F.I.R. rather he has falsely been implicated in this case merely on the basis of confessional statement of the co-accused, Md. Chand and except confession, no cogent material has come against the petitioner



during course of investigation. Hence, the petitioner deserves the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks, 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, Railway, Samastipur, in connection with G.R.P. SPJ (Samastipur Rail) Police Station Case No. 04 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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