

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40740 of 2017

Arising Out of PS.Case No. -28 Year- 2017 Thana -KAMTAUL District- DARBHANGA

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1. Raj Kumar Das Son of Raj Deo Das, R/o village- Mile, P.S.- Biddupur,
District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rama Kant Singh

For the Opposite Party/s : Mr. Sri Lalan Kumar

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

2 20-09-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is in custody since 28.02.2017 and in
the present case petitioner has been remanded on 16.06.2017 for
the offence registered under Sections 302 of the Indian Penal
Code.

Learned counsel for the petitioner submits that the
petitioner was arrested on the basis of suspicion in connection
with Hajipur Sadar P.S. Case No. 61 of 2017 which was with
regard to theft of pick up van. Thereafter, the petitioner's name
surfaced in connection with the present case on the statement
made by one Special Operation Group Officer, who disclosed that
one co-accused Amarjeet Kumar has taken the name of the present
petitioner with regard to the murder of the driver of the pick up
van. It is on the basis of such statement made before the police
that the petitioner is facing prosecution in connection with the



present case. It is further submitted that so far as Hajipur Sadar P.S. Case No. 61 of 2017 is concerned, the petitioner has already been granted bail vide order dated 08.09.2017 passed in Cr. Misc. No. 41787 of 2017. He, thus, prays that since the statement made before the police has no evidentiary value, the petitioner may also be extended the same benefit in the present case.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, 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 S.D.J.M., Darbhanga in connection with Kamtaul P.S. Case No. 28 of 2017.

(Anjana Mishra, J)

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