

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17830 of 2017

Arising Out of PS.Case No. -153 Year- 2016 Thana -PANDAU District- MADHUBANI

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Kundan Kumar Sahni Son of Binod Sahni Resident of Village- Sahpur,
P.S.- Pandaul, District- Madhubani

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Adv.

For the Opposite Party/s : Mr. Aditya Narayan Singh 1, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 05-05-2017 Heard both sides.

The petitioner seeks bail in Pandaul P.S. Case No. 153/2016, registered for the offences punishable under Sections 302 and 34 of the Indian Penal Code.

The informant lodged the case against unknown stating that his brother used to return his house in the evening, but he did not return on 15.07.2016. From his Jewellery shop on search, the dead-body of his brother was found. It transpired that unknown criminals killed his brother and mobile of his brother was also missing. It is further alleged that Baiju Jha has taken Rs. 3,00,000/- from the brother of the informant for selling a piece of land, but he did not execute the sale deed.

Learned counsel for the petitioner submits that there is



no material on record to show the involvement of the petitioner. The petitioner was apprehended in Pandaul P.S. Case No. 224/2016 under Sections 25(1-b)A and 26 of the Arms Act. The police took his signature on a plain paper and the same was turned into confessional statement. It is further submitted that Govind Chaudhary co-accused also confessed his guilt and disclosed name of the petitioner. Save and except the confession of the co-accused that too before the police, there is no material against the petitioner to show his involvement in the case. The petitioner is in jail since 02.02.2017.

Learned A.P.P did not dispute this fact.

Considering the facts aforesaid, the petitioner above-named, is directed to 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 Chief Judicial Magistrate, Jhanjharpur, Madhubani in connection with Pandaul P.S. Case No. 153/2016.

(Prabhat Kumar Jha, J.)

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