

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3101 of 2017

Arising Out of PS.Case No. -26 Year- 2016 Thana -HULASGANJ District- JEHANABAD

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Jagdish Sharma @ Manoj Kumar, Son of Kamta Sharma, Residing at
village - Dadpur, P.S.- Hulasganj, District - Jehanabad

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Vivek Anand Amritesh, Advocate

Mr. Kumar Kamal Nayan, Advocate

For the Opposite Party : Mr. Akbar Ali (APP)

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 06-02-2017 Heard learned counsel for the petitioner and the

State.

The petitioner seeks bail in a case instituted for the
offence under Sections 341, 323, 307 and 302/34 of Indian Penal
Code.

It has been submitted that earlier the name of this
petitioner was not mentioned in the First Information Report. In
the confessional statement before police under Section 161 of
Cr.P.C also his name does not figure. During investigation, one
injured Nagendra Kumar has disclosed the name of this petitioner
in his statement recorded under Section 164 Cr.P.C. after lapse of
more than four months of the occurrence. As per allegation in the
written report two brothers of informant were found lying near
bridge in injured condition. One of the brothers namely, Shivendra



Kumar died in course of treatment and elder brother of the informant, namely, Nagendra Kumar was referred to PMCH, Patna for treatment. The Additional Sessions Judge-III, Jehanabad has mentioned in the impugned order that Nagendra Kumar in his statement recorded under Section 164 Cr.P.C stated the name of this petitioner along with other accused. It has been submitted that another co-accused Bipin Kumar, Aman Kumar and Dinesh Singh whose name has been taken by Nagendra Kumar in statement recorded under section 164 Cr.P.C, has been granted bail by Co-ordinate Bench of this Court vide Cr. Misc. No. 43596 of 2016 dated 14.12.2016 and Cr. Misc. No. 52991 of 2016 dated 20.12.2016. This petitioner is said to be in custody since 19.08.2016.

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 learned Judicial Magistrate-1st Class, Jehanabad, in connection with Hulasganj P.S. Case No. 26 of 2016, subject to the condition that both the bailors will be the close relative of the petitioner.

(Sanjay Priya, J.)

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