

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21111 of 2017

Arising Out of PS.Case No. -39 Year- 2016 Thana -JAMALPUR RAIL P.S. District- LAKHISARAI
=====

1. Mithun Sah Son of Shankar Sah, Resident of Village- Pariya Beside of
UCO Bank, P.S.- Bariyarpur, District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Ram Sevak Choudhary

For the Opposite Party/s : Mr. Sri Kalyan Shankar
=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 23-06-2017 Heard both sides.

The petitioner seeks bail in Jamalpur Rail P.S. case
No. 39 of 2016 under Section 302 of the Indian Penal Code and
under Section 27 of the Arms Act.

The informant alleged that he heard sound of firing
and found that one boy was lying on the ground at platform No.2
near a tube well.

The learned counsel for the petitioner submits that
petitioner is not named in the FIR. During the course of
investigation none of the witnesses identified the petitioner and
disclosed his name. Save and except confession of the co-accused,
that too before the police, there is no material against the
petitioner. The petitioner was arrested but he has not been put in



T.I. parade.

The learned Additional Public Prosecutor did not dispute the facts.

Considering the facts aforesaid and the nature of allegation made against the petitioner, the above named petitioner 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 the learned Additional Sessions Judge-II, Lakhisarai in S.C. No. 7 of 2017, arising out of Jamalpur Rail P.S. Case No. 39 of 2016.

(Prabhat Kumar Jha, J)

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