

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56389 of 2017

Arising Out of PS.Case No. -94 Year- 2017 Thana -VIJAYPUR District- GOPALGANJ

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Abhishek Rai, Son of Ramvilas Rai, Resident of Village- Gangachhapar,
Police Station- Bijaipur, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr. S.R.P. Bakshi, Sr. Advocate.
Mr. Lokesh Kumar Singh, Advocate.

For the Opposite Party : Mr. Ashok Kumar

For the Informant : Mr. Mrigank Mouli, Advocate.

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 06-12-2017

Heard the counsels for the parties.

The petitioner seeks bail in connection with Bijaipur
P.S. Case No. 94 of 2017 dated 01.06.2017 instituted for the
offences under Sections 394 and 302 of the Indian Penal Code.

The informant who was returning after attending a
Barat was intercepted by three accused persons on two
motorcycles. One out of them stabbed the informant and during
course of treatment, the informant succumbed to the injuries. The
petitioner is not named in the FIR. His name transpired during the
course of investigation on the basis of confession of a co-accused
viz. Rajan Gond. Thereafter, another accused person viz. Pankaj
Kumar, who is said to have stabbed the deceased, also named the
petitioner as one of his associates. The petitioner is also said to
have confessed his guilt.



Mr. Mrigank Mauli, learned counsel for the informant has pointed out that pursuant to the confession of the accused persons, the weapon of assault has been recovered from a field. He has further submitted that prayer for bail of one of the co-accused viz. Sunil Kumar Singh @ Sunil Singh has been rejected by a coordinate Bench of this court vide order dated 13.11.2017 passed in Cr. Misc. No. 43181 of 2017.

Mr. Bakshi, learned senior counsel appearing for the petitioner has however submitted that Sunil Kumar Singh @ Sunil Singh, the co-accused whose bail has been rejected, has been held to be the main person who had been providing information about the deceased to the other accused persons.

The petitioner does not bear any criminal antecedent and is in custody since 07.06.2017.

In the facts and circumstances, the petitioner above named is directed to be released on bail on his furnishing bail bond in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Gopalganj in connection with Bijaipur P.S. Case No. 94 of 2017.

(Ashutosh Kumar, J)

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