

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18695 of 2018

Arising Out of PS.Case No. -305 Year- 2017 Thana -GAYA MUFFSIL District- GAYA

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Niraj Kumar @ Neeraj Sharma, S/o Jugeshwar Mistri @ Yogendra Mistri,
Resident of Village-Hario, P.S.-Magdh Medical, District-Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Advocate
Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP
Mr. Rama Kant Sharma, Sr. Advocate
Mr. Arun Kumar, Advocate
Mr. Pankaj Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 26-06-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the offences punishable under Sections 302/201/379 of the Indian Penal Code.

The FIR of the murder of the father of the informant was registered against unknown. During investigation the petitioner was apprehended by the police on suspicion and his confessional statement was recorded. On the basis of his confessional statement, Hexa blade used for commission of the crime as well as helmet of the deceased was recovered.

Submission of the learned counsel for the petitioner is that petitioner has got no criminal antecedent. He is



in custody since 19.10.2017. No prosecution witness has been examined during trial, which would be evident from the report of the learned trial Judge dated 30.05.2018. Co-accused Dilip Kumar has already been allowed bail by a coordinate Bench of this Court in Cr. Misc. No.17983 of 2018.

Learned counsel for the informant opposed the prayer for the reason that strong circumstantial evidence is there against the petitioner as on the disclosure of the petitioner the weapons used in the crime was recovered.

Considering the entire facts aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Muffasil P.S. Case No.305 of 2017, with condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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