

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39167 of 2018

Arising Out of PS.Case No. -33 Year- 2018 Thana -SALIMPUR District- PATNA

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1. Anil Kumar, Son of Shiv Nath Sharma, resident of village- Kala Diyara,
P.S.- Salimpur, District- Patna.

.... Petitioner

Versus

1. The State of Bihar.

.... Opposite Party

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with

Criminal Miscellaneous No.43476 of 2018

Arising Out of PS.Case No. -33 Year- 2018 Thana -SALIMPUR District- PATNA

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1. Prem Kumar, S/o Baidyanath Sharma, Resident of Village- Kala Diyara,
P.S.- Salimpur, District- Patna.

.... Petitioner

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

(In Cr.Misc. No.39167 of 2018)

For the Petitioner/s : Mr. Abhay Kumar Thakur

For the Opposite Party/s : Mr. Sri Mritunjay Kumar Nirala

(In Cr.Misc. No.43476 of 2018)

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. Sri Kumar Virendra Narayan

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 28-08-2018 Since both the cases arise from the same P.S. as such

they are taken up together for consideration.

Heard learned counsel for the petitioners and learned

counsel for the State.

Petitioners, who are in custody, seek bail in

connection with Salimpur P.S. Case No. 33 of 2018 (G.R. No. 215



of 2018) registered for the offences punishable under Sections 302 and 201 of the Indian Penal Code.

Informant is the father of deceased, who was killed by unknown persons and his dead body was thrown in the field which was recovered at about 12 O'clock on 15.02.2018. Informant has not named any person in the FIR. FIR is against unknown. The name of petitioners has surfaced in this case subsequently during investigation and on confessional statement made by petitioners, they have been made accused in this case. In the confessional statement, which has been recorded by the I.O in Para-4, in which he confessed that while the child was returning from Braham Bhoj, they kidnapped him in mid way and took him on motorcycle and thereafter slit his neck by sharp weapon and threw his body in field, however, such confessional statement does not match with the statement of informant who has stated in his F.I.R. that his son had returned to his house after Braham Bhoj at about 7:00 P.M. and in the morning on 15.02.2018 he was found missing, as such serious doubt is created with respect to implication of petitioners in this case. The petitioners have no criminal antecedent.

Considering the aforesaid fact and circumstances of the case let the petitioners named above be released on bail upon



furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Sri A.K. Thakur, learned A.C.J.M. IInd, Barh, District- Patna, in connection with Salimpur P.S. Case No. 33 of 2018 (G.R. No. 215 of 2018).

(S. Kumar, J)

Amit/Manoj

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