

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10090 of 2018

Arising Out of PS.Case No. -94 Year- 2017 Thana -BARHAT District- JAMUI

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1. Dharmendra Kumar Tanti S/o Chhote Lal Tanti, R/o Village- Gotajor,
P.S.- Laxmipur, District- Jamui.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Prasad

For the Opposite Party/s : Mr. Ajay Kumar-1

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

04 19-03-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Barhat P.S. Case No. 94
of 2017 registered under Section 364-A/511/34 of the Indian Penal
Code.

As per the prosecution case, five unknown
miscreants intruded into the house of the informant and exploding
the bomb kidnapped the informant on motorcycle. After some
distance, the informant gave push to the motorcycle due to which
its driver lost control and fell down on the ground and the
informant and accused were seriously injured and the said accused
was apprehended by the locals along with arms and mobile phone.
Petitioner and three other persons are said to have harboured the



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aforesaid accused persons.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. The petitioner has been falsely implicated in this case merely because he happens to be relative of Pramod Kumar who was eliminated by the informant and others and regarding the aforesaid incident Lakshmipur P.S. Case No.57/16 was filed against the informant. Petitioner is said to be mere harbourer of the accused persons but there is no such evidence on record. There is nothing material on record indicating the complicity of the petitioner barring his confessional statement which has no evidentiary value in the eye of law. The petitioner has been languishing in custody since 17.11.2017.

In the facts and circumstances of the case, 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 Judicial Magistrate-1st Class, Jamui in connection with Barhat P.S. Case No.94 of 2017.

(Prakash Chandra Jaiswal, J)

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