

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18716 of 2018

Arising Out of PS.Case No. -66 Year- 2017 Thana -GHOSBARI District- PATNA

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1. Amit Kumar @ Vishambhar, Son of Shivalak Paswan, Resident of
Village- Malti, Police Station- Asthawan, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 04-04-2018 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 302/120B/201/34 of the Indian Penal Code and Section 27 of the Arms Act.

The FIR would reveal that the informant is not an eyewitness of the occurrence. On suspicion some other persons were named in the FIR. Petitioner is not named in the FIR. Name of the petitioner has surfaced in the confessional statement of co-accused Ramu Paswan, who has confessed before the police that he had committed the murder and petitioner had also accompanied him.

Learned counsel for the informant opposed the prayer



for bail on the ground that a lot of evidence has come against the petitioner during course of investigation which would reveal the complicity of the petitioner in the occurrence alleged.

Considering the fact that there is no prima facie material against the petitioner nor there is any eyewitness of the occurrence, 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 Ghoshwari P.S. Case No.66 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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