

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50667 of 2018

Arising Out of PS.Case No. -86 Year- 2018 Thana -DULHIN BAZAR District- PATNA

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1. Sudarshan Mahto @ Sudarshan Prasad S/o late Mukhalal Mahto R/o
Village- Singhada, P.S. Dulhin Bazar, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Satya Nand Shukla

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-09-2018 Heard learned counsel for the petitioner and learned APP for
the State.

The petitioner seeks bail in a case registered under Section-
302 of the Indian Penal Code.

The prosecution case, in brief, is that the informant's husband
went to village-Singhara for working as labour but he did not
return and on enquiry, the dead body of her husband was found
lying near Kabristan.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 06-06-2018 and the petitioner has got
no criminal antecedent. There is no allegation of tampering of
witnesses alleged against the petitioner. Charge sheet has already
been submitted in this case. The petitioner is not named in the



FIR. His name has transpired in this case in course of investigation on the basis of confessional statement of co-accused namely Gannu Yadav. Thereafter, the confessional statement of the petitioner was also recorded. Except for this, there is no other substantial evidence to suggest the implication of the petitioner in the present case. There is no eye witness to the alleged occurrence nor there is circumstantial evidence to suggest the implication of the petitioner.

On behalf of the State, it is submitted that the petitioner's named has come in confessional statement of co-accused.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri Piyush Kumar Srivastava, learned Additional Chief Judicial Magistrate-III, Danapur in connection with Dulhin Bazar P.S. Case No. 86 of 2018.

(Sudhir Singh, J)

A.K.V./-

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