

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10007 of 2018

Arising Out of PS.Case No. -2 Year- 2017 Thana -BIBHUTIPUR District- SAMASTIPUR

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Manish Kumar @ Anish Kumar S/o Upendra Mahto, R/o Village- Boshi,
P.S.- Cheriya, Bariyarpur, Begusarai. Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Sri Bisheshwar Ram

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 08-03-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner has been in custody since 21.04.2017 in connection with S. Tr. No. 446 of 2017 arising out of Bibhutipur P.S. Case No. 02 of 2017 for the offence registered under Sections 302, 120B and 34 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that though the petitioner is not named in the first information report, later on, in the confessional statement made before the police by one Ashok Kumar Mahto, the petitioner's name has figured and consequently, he has been taken into custody. It is further submitted that the main allegation is against co-accused Kamal Kishore Kamal, who had fired upon the deceased and not this petitioner and only because this petitioner has been found to be communicating with other accused persons, the petitioner has been



taken into custody.

Diary of the present case was called for which has since been received.

Learned counsel for the State after perusal of the case diary submits that save and except the confessional statement made before the police, there is no cogent material in the case diary to implicate the petitioner in connection with the present case.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge, Rosera in connection with Bibhutipur P.S. Case No. 02 of 2017.

(Anjana Mishra, J)

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