

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6714 of 2018

Arising Out of PS.Case No. -59 Year- 2011 Thana -KONCH District- GAYA

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Mukesh Sharma, S/o Late Ram Kishor Sharma, R/o Village- Murera, P.S.-
Konch, District- Gaya

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rama Kant Sharma, Sr. Advocate
Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 21-02-2018 Heard Mr. Rama Kant Sharma, learned Senior

Counsel appearing for the petitioner and the learned counsel

appearing on behalf of the State.

The petitioner is in custody since 28.11.2017 in
connection with Konch P.S. Case No.59 of 2011 registered for
the offence under Section 302/34 of the Indian Penal Code.

Learned Senior Counsel for the petitioner submits
that only because the petitioner has communicated that a person
is lying in an injured condition beside the road, the petitioner's
name has been drawn in connection with the present case on
mere suspicion. He further submits that the victim was totally
unknown to him.

Earlier, diary was called for in this case, which has



since been received.

Learned counsel appearing on behalf of the State after perusal of the case diary merely submits that apart from the allegations made in the F.I.R., there is no further material in the case diary to connect the petitioner with the alleged occurrence and, admittedly, there is no eye-witness.

Considering the remote nature of allegations made against the petitioner and he is having only one criminal antecedent, being Konch P.S. Case No.72 of 2004, in which he is already on bail, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Gaya, in connection Konch P.S. Case No.59 of 2011 .

(Anjana Mishra, J)

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