

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41686 of 2018

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1. Kundan Mishra, Son of Late Suresh Mishra, Resident of Village- Tofir Garhiya, P.S.- Choutham, Dist.- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Md. Ashlam Ansari

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 24-09-2018 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner seeks bail in Chautham P.S. Case No. 132/2016, instituted for the offences under Sections 302, 201 and 120B/34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that petitioner is not named in the written report. He has clean antecedent. During course of investigation, police arrested co-accused Manish Kumar. He disclosed the name of two other persons, namely, Pinkesh Yadav and Manjeet Kumar. He did not disclose the name of this petitioner. It is mentioned in the impugned order that in para 5 of supplementary case diary, name of this petitioner along with other co-accused has appeared stating therein that the petitioner and co-accused Ram Sagar Mishra @



Munna Mishra had called the deceased. Petitioner along with other co-accused were seen near the school. It has also come during course of investigation that son of informant had borrowed Rs. 10,000/- from co-accused Ram Sagar Mishra and the petitioner for that there was differences between the parties. As per case diary, mere suspicion has been raised against this petitioner.

Considering the aforesaid fact and circumstances, prayer of the petitioner for grant of bail is allowed. 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 the learned Chief Judicial Magistrate, Khagaria in connection with Chautham P.S. Case No. 132/2016, subject to the conditions that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J.)

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