

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.45895 of 2018

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Deepak Kumar @ Deepak Kumar Yadav, S/o Desho Yadav, R/o Mohalla-
Adampur, P.S.- Safiabab, Distric- Munger.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Manoj Kumar Jha, Advocate.

For the Opposite Party : Mr. Nand Kishore Pd, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 13-09-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since
27.04.2018 in a case for the offence registered under Sections 302
and 120(B)/34 of the IPC.

The prosecution story, in brief, is that the younger
son, namely, Brahmdao Sharma of the informant was brutally
killed by some unknown persons. However, he had no enmity with
anyone. Mobile and Pass-Book of his son were also missing.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent.
Charge sheet has been submitted in the present case. There is no
allegation of tampering with the witnesses alleged against the



petitioner. The petitioner is not named in the F.I.R. His name has come in the present case merely on the basis of suspicion. There is no substantive 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 in the present case. There is an admitted dispute between the parties. Other co-accused has been granted anticipatory bail by another co-ordinate Bench of this Court vide Cr. Misc. No. 46502 of 2018 dated 23.08.2018.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is not named in the F.I.R.

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 the learned A.C.M. 1st, Munger, in connection with Dharhara P.S. Case No. 25/2018, corresponding to G.R. No. 352/2018.

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(Sudhir Singh, J)