

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31482 of 2018

Arising Out of PS.Case No. -266 Year- 2016 Thana -MINAPUR District- MUZAFFARPUR

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Vivek Kumar @ Bittu @ Banti S/o Budhan Sah, R/o Vill.- Sahila Rampur
Patti, P.S.- Hathauri, District- Muizaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anish Kumar

For the Opposite Party/s : Sri Awadhesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 11-07-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in connection with Meenapur
Police Station Case No. 266 of 2016 registered for the offences
punishable under sections 302/34 of the Indian Penal Code and
27 of the Arms Act.

As per FIR, two unknown miscreants chased the
victim and committed his murder.

It has been submitted that the petitioner is not named
in FIR. He was apprehended in different case on 03.12.2016.
Nothing has been recovered from the possession of the petitioner.
The alleged confession made in another case before the Police
after 45 days has got no evidentiary value in the eye of law. The



petitioner is in custody since 03.12.2016 and so he deserves bail.

The learned Additional Public Prosecutor on the other hand opposed the submission.

Considering the facts and circumstances of the case, the prayer for bail of the petitioner is allowed and he is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Muzaffarpur in connection with Meenapur Police Station Case No. 266 of 2016, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Sanjay Kumar, J)

Mahesh/-

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