

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50779 of 2018

Arising Out of PS.Case No. -337 Year- 2017 Thana -BETTIAH CITY District-
WESTCHAMPARAN(BETTIAH)

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1. Rahul Singh @ Abhishek Kumar S/o Sant Bachha Prasad Thakur @
Bachha Thakur, R/o Vill.- Khajuriya, P.S.- Govindganj, District- East
Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manindra Kishore Singh

For the Opposite Party/s : Mr. Pramod Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-09-2018 Heard learned counsel for the petitioner and learned APP for
the State.

The petitioner seeks bail in a case registered under
Sections-302, 120B/34 of the Indian Penal Code and 27 of the
Arms Act.

The prosecution case, in brief, is that the under-trial prisoner
namely, Babloo Dubey was shot dead by some criminals in course
of coming out from court room after production in concerned case.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 01-05-2018 and there is no allegation
of tampering of witnesses alleged against the petitioner. Charge
sheet has already been submitted in this case. The petitioner is not



named in the FIR. His name has come in confessional statement of co-accused namely, Vijay Yadav. Except for this, there is no other substantial evidence to suggest the implication of the petitioner in the present case nor there is any circumstantial evidence to suggest his implication in the present case. The other similarly situated co-accused namely, Niraj Yadav has been granted bail by a coordinate bench of this court vide order dated 08-11-2017 passed in Cr. Misc. No. 42721 of 2017.

On behalf of the State, it is submitted that the petitioner's name has transpired in confessional statement of co-accused.

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 learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Bettiah Town P.S. Case No. 337 of 2017.

(Sudhir Singh, J)

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