

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61395 of 2018

Arising Out of PS.Case No. -853 Year- 2017 Thana -BANKA District- BANKA

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1. Pappu Das @ Harijan, Son of Late Chaturi Das @ Chaturi Harijan, Resident of Village- Bhikhanpur, Police Station- Ishak Chak, District- Bhagalpur.
 2. Nishu Devi, Wife of Pintu Das, Resident of Naya Tola Parbatti, Police Station- University, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pravin Kumar Sinha

For the Opposite Party/s : Mr. Sri Sanjay Kumar Sharma

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

2 06-10-2018

Heard both sides.

The petitioners seek bail in Banka P.S. case No. 853 of 2017 registered under Section 302 of the Indian Penal Code.

The learned counsel for the petitioners submits that petitioners are not named in the FIR. The names of petitioners surfaced in the case in the confessional statement of co-accused Dular Mahto @ Dular Rai who confessed that he along with Pintu Das assaulted the deceased. The petitioners are alleged to have caught the deceased. It is submitted that save and except confessional statement of co-accused, that too before the police, no other incriminating material has been collected against the



petitioners to show their involvement in the alleged crime of murder.

Considering the facts aforesaid and the nature of allegation made against the petitioners and the fact that save and except confessional statement of Dular Mahto the police did not collect any other incriminating material showing the involvement of the petitioners, the petitioners, above named, are directed to be enlarged 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 Sessions Judge-II, Banka in connection with S. Tr. No. 204 of 2018, arising out of Banka P.S. case No. 853 of 2017.

(Prabhat Kumar Jha, J)

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