

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54580 of 2018

Arising Out of PS.Case No. -215 Year- 2014 Thana -BARUN District- AURANGABAD

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Rahul Kumar @ Manish Kumar S/o Motilal Singh, R/o Vill.- Hasanpur,
P.S.- Baroon, Distt.- Aurangabad.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh

For the Opposite Party/s : Mr. Md. Arif

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

03 08-10-2018

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner seeks bail in Baroon P.S. Case No.
215 of 2014 registered under Sections 147, 148, 149, 302 and 201
of the Indian Penal Code and 27 of Arms Act.

Seven named accused persons are said to have
gunned down the nephew of the informant, namely, Vikash Kumar
and dumped the dead body in the Sone River.

It is submitted by learned counsel for the petitioner
that no such occurrence as alleged took place. The petitioner is not
named in the F.I.R. He was not apprehended on the spot. There is
no eye-witness of the occurrence and there is no material
indicating the complicity of the petitioner in the occurrence
barring the confessional statement of co-accused Sonu Kumar @



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Sonu Kumar Singh @ Partik Kumar Singh and Chilbul Pandey @ Chunmun Pandey @ Vidyasagar Pandey which has no evidentiary value in the eye of law. The petitioner has been languishing in custody since 07.06.2018. The said Sonu Kumar @ Sonu Kumar Singh @ Partik Kumar Singh and Chulbul Pandey @ Chunmun Pandey @ Vidyasaar Pandey have been enlarged on bail by a co-ordinate bench of this court in Cr. Misc. No. 51936 of 2017 and 45161 of 2018 vide order dated 09.11.2017 and 01.08.2018 respectively.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged 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, Aurangabad in connection with Baroon P.S. Case No. 215 of 2014.

(Prakash Chandra Jaiswal, J)

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