

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10385 of 2019

Arising Out of PS. Case No.-289 Year-2018 Thana- RAJGIR District- Nalanda

MITHU KUMAR S/o Vinod Singh @ Vinod Kumar Resident of Village-
Begumpur, P.S.- Nalanda, District- Nalanda

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Anjani Pd. Singh
For the Opposite Party/s : Mr.Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 18-04-2019 Heard learned counsel for the petitioner, O.P. No. 2
and learned APP for the State.

The petitioner seeks bail in a case initially registered under Sections 365/34 of the Indian Penal Code, in which, later on, Section 302 of the Indian Penal Code was also added.

The prosecution case, in short, is that the deceased proceeded to Bihar Gramin Bank but he did not return. It was presumed that he has been abducted with oblique reason. It is alleged that he was killed.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is in custody since 03-10-2018. Charge sheet has already been submitted. The petitioner has been



falsely implicated in the present case. There is no other substantive evidence to suggest the implication of the petitioner in the present case. Except confessional statement of co-accused, there is no eye witness to the alleged occurrence. The other co-accused with similar allegation has been granted bail by this court vide order dated 12-03-2019 passed in Cr. Misc. No. 79550 of 2018.

On behalf of the State and O.P. No. 2 , it is submitted that the petitioner is not named in the Complaint Case/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 learned Chief Judicial Magistrate, Nalanda in connection with Rajgir P.S. Case No. 289 of 2018.

(Sudhir Singh, J)

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