IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16586 of 2019

Arising Out of PS. Case No.-245 Year-2017 Thana- BALIYA District- Begusarai

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MURARI SINGH Son of Rambilash Singh Resident of Village- Rahatpur, Ward No.8, Near Middle School, P.S.- Ballia, Distt.- Begusarai.

... ... Petitioner/s

Versus

THE STATE OF BIHAR

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Sandip Kumar Gautam
For the Opposite Party/s : Mr.Nand Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

3 03-05-2019 Heard learned counsel for the petitioner, learned APP for the State and learned counsel for the informant.

The petitioner seeks bail in a case instituted for the offences under Sections 447, 341, 342, 364 and 34 of the Indian Penal Code.

The prosecution case in short is that the accused persons came to the house of the informant and on the point of pistol, forcibly kidnapped her husband.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 17.7.2018. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. The petitioner has falsely been implicated in the present case. Altogether 15 persons were named by the informant. At the time

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of occurrence, the victim is alleged to have made a protest against the accused persons. On the said protest, other co-villagers, named in the F.I.R., came in rescue of the victim. But the said co-villagers have not been examined in course of investigation. Further, the witnesses, in paragraphs 9, 10, 18 and 23 of the case diary have not supported the allegations made in the F.I.R.. Other co-accused has been granted bail vide Annexure-2 to the present application.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R..

Considering the aforesaid facts and circumstances, it is directed that 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, Begusarai in connection with Ballia P.S. Case No. 245 of 2017.

(Sudhir Singh, J)

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