

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17832 of 2019

Arising Out of PS. Case No.-349 Year-2018 Thana- TAJPUR District- Samastipur

MAHABIR SAH Son of Ram Bilash Sah Resident of Village - Gaddopur,
P.S.- N.H.Bangra, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prem Prakash Poddar
For the Opposite Party/s : Mr.Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 30-07-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the offences under Section 302/34 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case in short is that the brother-in-law of the informant was killed by unknown accused persons.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 25.12.2018. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. The petitioner is not named in the F.I.R. The name of the petitioner has transpired on the basis of confession of co-accused. There is no eye witness to the alleged occurrence nor



there is any circumstantial evidence to suggest the participation of the petitioner in the present case. Other co-accused has been granted bail vide order dated 19.6.2019 passed in Cr. Misc. No. 11791 of 2019.

On behalf of the State, it is submitted that the petitioner is not 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 A.C.J.M., Samastipur in connection with Tajpur (Halai O.P.) P.S. Case No. 349 of 2018 G.R. No. 2357 of 2018.

(Sudhir Singh, J)

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