

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49456 of 2019

Arising Out of PS. Case No.-40 Year-2019 Thana- PURAINI District- Madhepura

Binod Malakar @ Vinod Malakar Son of Ganeshi Malakar Resident of
Village- Rampur Dahru, P.S.- Bihariganj, District- Madhepura

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Sanjay Kumar Singh
For the Opposite Party/s : Mr.Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-08-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered under
Sections 364A, 302, 201, 120B, 34 of the Indian Penal Code.

The prosecution case in brief is that the informant's
husband went to the shop of Mukesh Kedia on a motorcycle but
he did not return. It is further alleged that in the backdrop of
dying a buffalo, the informant's husband was kidnapped and
may be 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 09-03-2019. Charge sheet has
already been submitted. The petitioner is not named in the FIR.



His name transpired in this case on the basis of confessional statement of co-accused. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in the present case.

On behalf of the State, it is submitted that the petitioner is not named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, the petitioner named above is directed to 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 Shri Shiv Kumar, learned Judicial Magistrate-Ist Class, Uda Kishunganj, Madhepura in connection with Puraini P.S. Case No. 40 of 2019.

(Sudhir Singh, J)

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