

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52243 of 2019

Arising Out of PS. Case No.-418 Year-2018 Thana- BARAUNI District- Begusarai

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RUPESH KUMAR SINGH @ KANHAIYA SINGH @ RUPESH KUMAR
@ KANHAIYA @ KANHAIYA RAI Son of Dinesh Singh Resident of
Village- Simariya, P.S.- Barauni, District- 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.Nityanand Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-08-2019 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 of the Indian Penal Code and 27 of
the Arms Act.

The prosecution case in short is that the brother of the
informant was shot fire by the accused persons due to which he
sustained gun shot injury and later succumbed to the injury.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 2.11.2018. 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.



The petitioner is not named in the F.I.R. The only material is the confession of co-accused Rambabu Kumar. The said co-accused has already been granted bail by the Court below. It is further submitted that the petitioner may be released after completion of one year in custody.

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

Considering the aforesaid facts and circumstances, **on completion of one year in custody**, 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 Barauni P.S. Case No. 418 of 2018.

(Sudhir Singh, J)

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