

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34725 of 2020

Arising Out of PS. Case No.-35 Year-2020 Thana- BAKHTIYARPUR District- Patna

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SURAJ KUMAR S/o Vijay Prasad Verma R/o village- Rawaich near Chatpal
Basa, P.S.- Bakhtiyarpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Suraj Kumar

For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-01-2021 Learned counsel for the petitioner is directed to

remove the defect(s), as pointed out by the office, within a

period of two weeks.

Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case for the offence
registered under Sections 302 and 392 of the Indian Penal Code.

Prosecution case in short is that in course of returning
home from his shop, the younger brother of the informant was
assaulted by the accused persons as a result of which, he
sustained grievous injuries and in course of treatment, he died.

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 09-02-2020. Charge sheet/Prosecution report in this case has already been submitted. The petitioner has been falsely implicated in the present case. 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 of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-Ist, Barh, Patna in connection with Bakhtiyarpur P.S. Case No. 35 of 2020.

(Sudhir Singh, J)

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