

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37992 of 2021

Arising Out of PS. Case No.-295 Year-2020 Thana- SARAI District- Vaishali

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Nikhil Kumar S/o Naresh Thakur @ Ram Naresh Thakur R/O Enayatpur
Prabodhi, P.S. - Sarai, District - Vaishali.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Patanjali Rishi, Adv
For the State	:	Mr.Pramod Kumar Pandey,APP
For the Informant	:	Mr.Satya Prakash Sinha, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 28-02-2022 Heard learned counsel for the parties.

The petitioner seeks bail in Sarai P.S. Case No. 295 of 2020, registered for the offence under Section 363, 365 of the Indian Penal Code and later on, Sections 302 & 120(B) of the Indian Penal Code were added.

Initially, the F.I.R. was lodged against unknown, but subsequently, after recovery of the dead-body of informant's brother, petitioner and others were made accused.

It is submitted on behalf of petitioner that petitioner has been made accused in this case only on suspicion. Informant is not the eye-witness of the occurrence. It is further submitted that only material against this petitioner is that during course of investigation, two witnesses namely Sone Lal Singh and Lalu Kumar have stated that they saw this petitioner and other co-accused persons fleeing away from the orchard where the dead-



body of deceased was found. Save & except this, there is no other material to show involvement of the petitioner in the aforesaid crime. Petitioner claim clean antecedent and he is in custody since 15.12.2020.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances, the bail petition of petitioner is allowed. Let the above named petitioner 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 A.C.J.M. - XVI, Vaishali in connection with Sarai P.S. Case No. 295 of 2020.

(Prabhat Kumar Singh, J)

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