

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11495 of 2015

Arising Out of PS.Case No. -236 Year- 2011 Thana -SUGAULI District-
EASTCHAMPARAN(MOTIHARI)

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Bhusan Sah @ Bhushan Sah Son of Shri Lalbabu Sah Resident of Village :
Bhoj Mahra Tola, P.S. Sugauli, District - East Champaran.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pramod Ranjan, Adv.

For the Opposite Party/s : Mr. M.Haque(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

4 31-07-2015 Heard both sides.

The petitioner seeks bail in Sugauli P.S. Case No. 236/2011, registered for the offences punishable under Section 302 and other Sections of the Indian Penal Code.

The petitioner is not named in the FIR. During course of investigation the mobile of the deceased was recovered from the possession of the petitioner.

It is submitted that the petitioner has stated in his statement that the mobile was found by the side of the railway track. The investigating officer did not collect any evidence to show the involvement of the petitioner in the alleged murder of the son of the informant.

Learned Additional P.P. on the other hand submitted that mobile of the deceased was recovered from the possession of the petitioner and from the C.D. it appears that on the date of occurrence the mobile of the deceased was at Shivganj Narkatiya.

Considering the facts aforesaid and the fact that except the mobile of the deceased which was recovered from the possession of the petitioner, the police did not find any tangible evidence to show the involvement in the murder of the deceased and the petitioner has stated that he got mobile from the railway track, the petitioner above named is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Motihari, East Champaran, in connection with Sugauli P.S. Case No. 236/2011.

(Prabhat Kumar Jha, J.)

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