

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 698 of 2015

Arising out of P. S. Case No. - 53 Year - 2014 Thana - CHENARI District - SASARAM (ROHTAS)

1. Chandravansh Ram @ Tappu, S/o Rajendra Ram, resident of Village -
Kawadih Samhuta, P.S. Kargahar, District - Rohtas

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Sri Krishna Prasad Singh, Sr. Advocate

For the State : Mr. Murlidhar, A.P.P.

For the Informant : Dr. Bipin Chandra, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 22-01-2015

Heard learned counsel for the petitioner, the

State as well as learned counsel for the Informant.

The petitioner seeks regular bail in Chenari P.S.
Case No. 53 of 2014 registered for the offences punishable
under Sections 302 and 201/34 of the Indian Penal Code.

On the recovery of the dead body, present case
was lodged against unknown.

The learned counsel for the petitioner submits
that there is no evidence against the petitioner.

The sister of the deceased disclosed that he was
coming to village along with Mantu Kumar and Chandravansh
Ram @ Tappu except this fact there is no eye-witness of the
occurrence and the police has not collected any evidence to
show that the petitioner was in any way involved in the

murder of the deceased Mukesh Kumar.

On the other hand, learned counsel for the informant as well as the learned Additional Public Prosecutor referred paragraph 47 of the case diary and disclosed that the petitioner was using the SIM of Awadhesh Ram on his own mobile and he had also talk with the deceased. The mobile location of the petitioner was found near Dalmiyanagar, Sasaram, Malhipur Chenari and Khumabad. It is stated that the petitioner was using the SIM of Awadhesh Ram but the statement of Awadhesh Ram has not been recorded.

On perusal of the record, it appears that petitioner is not named in the First Information Report and, except suspicion, the police did not collect any tangible evidence. Firstly, the sister of the deceased disclosed that her brother-deceased informed her that he was coming along with Mantu Kumar and Chandravansh Ram @ Tappu. The Investigating Officer tried to collect evidence on the basis of the location of the mobile.

Considering the facts aforesaid, 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 Judicial

Magistrate 1st Class, Sasaram (Rohtas) in connection with
Chenari P.S. Case No. 53 of 2014.

(Prabhat Kumar Jha, J.)

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