

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27945 of 2015

Arising Out of PS.Case No. -85 Year- 2014 Thana -SULTANGANJ District- PATNA

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Azharuddin @ Asgar Son of Ahmaddin , resident of Quarter no. 115, Raj Bhawan, P.s Sachivalaya District Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rana Vikram Singh

For the Opposite Party/s : Mr. Jagdhar Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-07-2015 The petitioner is apprehending his arrest in Sultanganj P.S. Case No.85/14 for the offences instituted under Section 302/34 of the I.P.C.

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

The prosecution story, in brief, is that on 5.6.2014 at 3 P.M. Azharuddin came to the house of the informant and took her son on the pretext of repairing air conditioner but when he did not return till 7 P.M. her daughter tried to call her son on mobile but his phone was switched off. Thereafter she called Azharuddin who disclosed that son of the informant had drowned in the Ganges river near Raushan Ghat.

It has been submitted on behalf of the petitioner that

the petitioner has been named in F.I.R. only on the basis of suspicion. Subsequently witnesses were examined under Section 164 Cr.P.C.. From perusal of 164 Cr.P.C. statement it would appear that the deceased had gone on the side of the river and decided to swim in the river and in course of swimming he was drowned in the river. It is further submitted that the petitioner has no criminal antecedent.

On behalf of the State it has been submitted that the petitioner has been named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of Sri Prabhakar Jha, J.M. 1st Class, Patna City, Patna in Sultanganj P.S. Case No.85/14 subject to the conditions as laid down under Section 438(2) of Cr.P.C.

(Sudhir Singh, J)

AnilKrSinha/-

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