

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39191 of 2015

Arising Out of PS.Case No. -92 Year- 2015 Thana -KHARAGPUR District- MUNGER

Munna Pandit son of Polo Pandit, resident of village- Rampura, Police Station- Gangta Kharagpur, District- Munger.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Sanjiv Kumar Singh

For the Opposite Party : Mr. Abhay Kumar Roy (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 09-10-2015 Heard the counsel for the petitioner and counsel for the State.

The petitioner is languishing in jail since 05.05.2015 in a case instituted under Section 302/34 of the Indian Penal Code.

As per allegation, it is a case of murder of informant's son, namely, Pappu Pandit by the accused persons.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 05.05.2015. Chargesheet has been submitted in the case. Petitioner has got no criminal antecedent. There is no allegation of tampering with the evidence against the petitioner. No specific injury has been attributed against the petitioner. In a scuffle, the deceased fell down on the ground and sustained head injury. No weapon is said to have been

used in course of occurrence. Taking the allegation made in the FIR, it is at best a case for an offence under Section 304 part-I or part-II of the Indian Penal Code. It is further submitted that the petitioner may be released after completion of six months in custody from 05.05.2015.

On behalf of the State, it has been submitted that the petitioner is named in the FIR and have taken active participation in the alleged occurrence.

Considering the aforesaid facts and circumstances, it is directed that the petitioner be released after completion of six months in custody from 05.05.2015 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction learned CJM, Munger in connection with Gangta Kharag P.S.Case No.92 of 2015, G.R.No.692 of 2015.

(Sudhir Singh, J)

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