

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41781 of 2014

Arising Out of PS.Case No. -197 Year- 2011 Thana -BARHARA District- BHOJPUR

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1. Harendra Singh S/o Late Kapildeo Singh Resident of Village Kulharia,
P.S. Koilwar, District Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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with

Criminal Miscellaneous No.42940 of 2014

Arising Out of PS.Case No. -197 Year- 2011 Thana -BARHARA District- BHOJPUR

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1. Sanjay Kumar Singh Late Suraj Singh Village-Manikpur, P.S.- Koilwar,
District-Bhojpur, Present R/o Mohalla-(Mahajan Toli) PS. Ara Nagar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.41781 of 2014)

For the Petitioner/s : Mr. Sunil Kumar-Ii, Advocate.

For the Opposite Party/s : Mr. Sharda Kumari (App)

(In Cr.Misc. No.42940 of 2014)

For the Petitioner/s : Mr. Sharwan Kumar, Advocate.

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 05-02-2015 Heard both sides.

Since both the cases have arisen out of one
occurrence, they are being disposed of by this common order.

The petitioners seek bail in Barhara P.S. Case No.
197 of 2011, registered for the offences punishable under Section



302 and other Sections of the Indian Penal Code. The police received a call from mobile no. 8521273540 got information by the caller that some Pappu Singh assaulted an unknown person. Consequently the FIR was lodged against unknown and owner of mobile no. 8521273540.

Learned counsel for the petitioners submits that during the course of investigation, the investigating officer has not collected any tangible evidence. Location of mobile no. 8521273540 was found near Ara jail, but the owner of mobile could not be traced out. On mere suspicion, it has come in the supervision note of Dy. S.P., that Harendra Singh the petitioner was on inimical term with Pappu Singh and he wanted to put him behind bar, he conspired with Sanjay Singh and killed a mad man only in order to implicate the petitioner.

It appears from the perusal of the case diary that the investigating officer has not collected any tangible evidence to show the involvement of the petitioners, except the suspicion raised by different persons on account of that the petitioner is on inimical term with Pappu Singh and he might have conspired with Sanjay Kumar Singh in killing.

Considering the facts aforesaid, the petitioners are directed to be enlarged on bail on furnishing bail bonds of Rs.

10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Ara at Bhojpur in connection with Barhara P.S. Case No. 197 of 2011.

(Prabhat Kumar Jha, J.)

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