

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47383 of 2015

Arising Out of PS.Case No. -105 Year- 2015 Thana -BHAGHA District-
WESTCHAMPARAN(BETTIAH)

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Raju Sah Son of Shambhu Sah Resident of Village Dumwalia ward no. 8
P.s bagaha, District West Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Arvind Kumar
For the Opposite Party : Mr. Ambika Bhagat(Spl.A. P.P.)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 22-12-2015 Heard the counsel for the petitioner and counsel for the

State.

The petitioner is languishing in jail since 08.06.2015 in
a case instituted under Section 302/34 of the Indian Penal Code.

As per prosecution case, it is a case of murder of one
informant's husband by the accused persons.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 08.06.2015. Chargesheet has
been submitted in the case. Petitioner has got no criminal
antecedent. There is no allegation of tampering of evidence
against the petitioner. As per the prosecution case, altogether five
persons are said to have participated in the alleged occurrence
including the petitioner. General and omnibus allegation has been

made against all the five persons. Though the petitioner and other co-accused Rakesh Sah are named in the FIR but no specific injury has been attributed against them. The informant is not an eye witness to the alleged occurrence. The alleged time of occurrence is said to be 2.30 in the night and no source of identification has been disclosed by the prosecution which casts serious doubts upon the involvement of the petitioner in the present case. There is no motive alleged against the petitioner.

On behalf of the State, it has been submitted that the petitioner is named in the FIR.

Considering the aforesaid facts and circumstances, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM, Bagaha, West Champaran in connection with Pathkhauri P.S.Case No.105 of 2015.

(Sudhir Singh, J)

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