

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47518 of 2015

Arising Out of PS.Case No. -286 Year- 2015 Thana -BEGUSARAI TOWN District- BEGUSARAI

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Raja Kumar @ Rahul son of Sri Ram Vinay Singh, resident of village-
Mirjapur Bandwar Ward No. 42, P.S. Begusarai Town, District- Begusarai
..... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur

For the Opposite Party/s : Mr. Arun Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 04-11-2015

This is an application for grant of regular bail in favour of the petitioner who is an accused in connection with Begusarai Town PS Case No. 286 of 2015 for the alleged offences punishable under Sections 302, 201, 120B and 34 of the Indian Penal Code.

Heard learned counsel for the petitioner and learned counsel appearing on behalf of the informant.

As per the prosecution case, as narrated by the informant in the First Information Report, one Mantun Singh along with Ram Vinay Singh had come to the house of the informant at 11 PM in the night of 13.6.2015 and on their request, the deceased Manish Kumar had accompanied them to go to some unknown destination. The deceased, thereafter, did not return and his dead body was found lying in the village.

It is submitted on behalf of the petitioner, referring to the FIR that the petitioner's name has figured in the FIR merely on the basis of suspicion on the ground that the petitioner's sister and the deceased were having love affairs.

Learned counsel appearing on behalf of the

informant, on the other hand, while opposing the prayer for bail, has submitted that this is a case of honour killing, and, since, the family members of the girl were not ready to accept the relationship, they brutally killed the deceased. In such circumstance, he contends that privilege of regular bail should not be granted.

Upon perusal of the First Information Report, I find that that there is no allegation against the petitioner that he was last seen with the victim. Mr. Ajay Kumar Thakur, learned counsel appearing on behalf of the petitioner, appears to be right in his submission that the petitioner has been implicated merely on the basis of suspicion.

In view of the submission made on behalf of the petitioner, this application is allowed. Let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in Begusarai Town PS Case No. 286 of 2015.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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