

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46570 of 2015

Arising Out of PS.Case No. -124 Year- 2015 Thana -PANCHRUKHI District- SIWAN

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1. Santosh Bashphor Son of Late Durga Bashphor, Resident of Village - Fatehpur Durga Mandir, P.S. - Siwan (Town), District - Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Sinha

For the Opposite Party/s Mr. Sadanand Paswan(Spl.App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

02/ 05.10.2015 Heard learned counsel for the petitioner as well as learned

Addl. Public Prosecutor for the State.

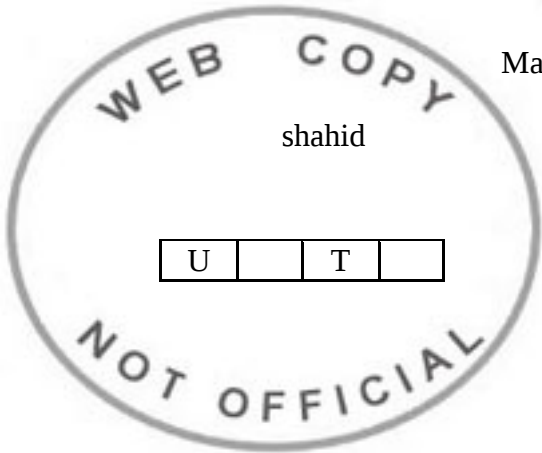
Petitioner is not named in the first information report in the column of accused persons rather he has been shown as witness on the fardbeyan of the informant but in course of investigation one witness claimed before the police that on the alleged date of occurrence, a quarrel had taken place between the petitioner and the deceased on the point of return of loan amount. Informant in further statement stated that the petitioner had taken loan from her husband and after that one witness claimed to have seen the petitioner fleeing from the place of occurrence.

Moreover, one co-accused confessed his guilt disclosing the name of the petitioner but even if the aforesaid material assumed to be true, then also none has claimed to have seen the actual killing of the deceased.

Accordingly, petitioner is directed to be released on bail on

furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Sub divisional Judicial Magistrate, Siwan in Pachrukhi (Sarai) P.S. Case no. 124/2015.

(Hemant Kumar Srivastava,J)



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