

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33240 of 2015

Arising Out of PS.Case No. -9 Year- 2015 Thana -SARAIYA District- MUZAFFARPUR

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1. Md. Sadaquat Ali @ Vicky S/o Md. Washi Ahmad resident of village - Azizpur, P.S. Saraiya, District - Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shri Prakash Srivastava

For the Opposite Party/s Mr. Smt. Sucheta Yadav(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

03/ 16.10.2015 Learned counsel for the petitioner is permitted to make necessary correction in prayer portion of this petition within course of the day.

Heard learned counsel for the petitioner as well as learned Addl. Public Prosecutor for the State and also heard learned counsel for the informant.

Although informant claimed that on the call of the petitioner, deceased left his home in the night of alleged occurrence but did not return to his home and subsequently, in course of investigation, dead body of the deceased was found buried in a field. Confessional statement of the petitioner was recorded and he disclosed the manner in which deceased is said to have been killed.

Furthermore, in course of investigation, some witnesses stated that deceased had some sweet relation with sister of the petitioner which caused annoyance to the petitioner resulting killing of

the deceased.

Learned counsel appearing for the informant points out that para 59 of the case diary reveals that when CDR of mobile of the petitioner was verified, it was found that the petitioner had talked with the deceased on the alleged date of occurrence.

Considering the aforesaid facts and circumstances as well as submissions of the parties and also taking note of this fact that investigation has already been completed and except the above stated so-called circumstantial evidences, there appears to be nothing against the petitioner, let the petitioner 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 District & Sessions Judge, Muzaffarpur in Sessions trial no. 414/2015 arising out of Saraiya P.S. Case no. 09/2015.

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(Hemant Kumar Srivastava,J)

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