

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.305 of 2015

Arising Out of PS.Case No. -413 Year- 2014 Thana -BIHTA District- PATNA

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Guddu Rai @ Guddi Rai, son of Shyam Nandan Rai @ Samnandan Rai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Paras Nath

For the Opposite Party/s : Mr. Braj Kishore Pd. (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 07-01-2015

Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner is in jail custody since 25.06.2014 in a case initially registered for the offences punishable under Sections 364/34 of the Indian Penal Code and later on, Section 302 of the Indian Penal Code was also added.

Admittedly, the dead body of the deceased was recovered after institution of the present case but none has seen the actual killing of the deceased.

The contention on behalf of the petitioner is that much prior to institution of this case, Bihta P.S. Case No. 105 of 2012 had been registered against the son of informant of this case and in the aforesaid case, petitioner was a witness. It is further contended by him that co-accused Nayak Rai and some others

have already been admitted to bail.

Considering the aforesaid facts and circumstances as well as this aspect of the matter that no one has claimed to have seen the actual killing of the deceased, let the petitioner 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 Additional Chief Judicial Magistrate, Danapur, Patna in connection with Bihta P.S. Case No. 413 of 2014.

(Hemant Kumar Srivastava, J)

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