

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23557 of 2015

Arising Out of PS.Case No. -16 Year- 2008 Thana -SONO District- JAMUI

1. Raj Kumar Singh alias Tetu Singh alias Raj Kumar son of Late Baleshwar Singh, Resident of village- Lakraha, Police Station- Sono, District- Jamui.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh

For the Opposite Party/s : Mr. Renu Kumari(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-07-2015

Heard learned counsel for the petitioner and learned

A.P.P. for the State.

Petitioner is apprehending his arrest in Sono P.S. Case No. 16 of 2008 registered under sections 302, 420, 467, 468/34 of the Indian Penal Code.

Prosecution case, in short, is that the accused persons killed the husband of the informant six months ago and concealed dead body of her husband. It is further stated that on 19.12.2007 accused persons abducted the complainant/informant and forcibly brought her to Chakai Registry officer, and threatened her to kill, and got executed registered deed in favour of Asesar Yadav, Rupal Yadav and Jahri Devi with respect to the house, Mango, Mahua and Kathal tree, area 63.3/4 decimals of land as a result she sustained loss of Rs. 1,50,000/. She has also stated that the accused persons forcibly kept her in their custody and used to torture her. She anyhow fled away from their custody and came to the police station but the

police did not lodge the case.

It has been submitted on behalf of the petitioner that a complaint case was filed in the court below which was subsequently sent for institution of the first information report under section 156(3) Cr.P.C. It is further submitted that the petitioner has got no criminal antecedent. From the perusal of the complaint petition itself it appears that six months prior to the filing of the complaint it is alleged that the husband of the informant was taken away by the accused persons. For the delay of six months, no explanation has been given, which makes the prosecution story doubtful. It is further submitted that the petitioner has been made accused in this case due to dirty village politics.

On behalf of the State it is submitted that petitioner is named in the complaint/first information report.

Considering the fact that no explanation for the delay of six months has been given by the prosecution, the above named petitioner in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of Additional Chief Judicial Magistrate, Jamui in connection with Sono P.S. Case No. 16 of 2008, subject to the conditions as laid down under section 438(2) Cr.P.C.

(Sudhir Singh, J)

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