

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26660 of 2015

Arising Out of PS.Case No. -9 Year- 2010 Thana -TARAIYA District- SARAN

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1. Raghubir Rai, son of Chandeshwar Rai, resident of Village- Pokhrera,
P.S. Taraiya, Distt- Saran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh

For the Opposite Party/s : Mr. Umeshanand Pandit(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-07-2015 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case
instituted under Sections 449, 307, 302, 34 of the Indian Penal
Code.

As per FIR, on 31/2/2010 at about 9.30 P.M. some one
knock the door of the informant (Chameli Devi) and requested to
open the door for fixing his leg upon which the informant opened
the door to help the person, who says his name as Sanjay but the
person started assaulting the informant with Garasi like weapon
causing injuries on different part of her body and when Sunita
Devi, daughter-in-law of the informant raised alarm the accused
person killed her cutting her neck and fled away.

It has been submitted on behalf of the petitioner that

FIR is against unknown. It is further submitted that petitioner is co-villager of the informant, they are known to each other. Inspite of that the petitioner has not been named in the FIR. Subsequently. The name of the petitioner has figured after a period of 3 ½ months in the protest petition made by the informant, which casts serious doubt upon the prosecution case.

On behalf of the State, it has been submitted that the name of the petitioner has figured in the protest petition.

Considering the aforesaid facts, let the above named petitioner, in the event of his arrest or surrender in the court below within a period of four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M.,Saran at Chapra in connection with Taraiya P.S.case no. 9/2010, subject to the conditions as laid down u/s 438(2) Cr.P.C.

(Sudhir Singh, J)

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