

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26859 of 2015

Arising Out of PS.Case No. -313 Year- 2014 Thana -DARBHANGA SADAR District-
DARBHANGA

Sanjiv Kumar Das @ Sanjeev Kumar Das Son of Ram Prasad Das, resident
of Village-Dhobai Patti, P.S.-Sadar Darbhanga, District-Darbhang.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Gagan Deo Yadav

For the Opposite Party : Mr. Atul Chandra(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 24-09-2015 Heard learned counsel for the petitioner and the State.

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

According to the FIR it is alleged that on 19.08.2014 at
about 10.30 P.M. when the informant was sleeping in his house,
the petitioner went there and called up the deceased and took him
out side. The informant was under the impression that her husband
had gone to watch the festival with the said accused persons but
when she got up at about 1.00 A.M. she did not find her husband
in the house and again slept. It is further alleged that next morning
when the husband of the informant did not return back to his
house, the informant started searching him and during the course
of search the informant was informed that the dead body was lying

in a field behind Middle School Chotaipatti and having got such information the informant went there and found her husband dead.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. Petitioner is a *Panchayat* teacher. It is a case of last seen, except for the same, there is no other evidence against the petitioner.

On behalf of the State, it has been submitted that the petitioner has been made accused in the present case only on the basis of last seen.

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 CJM, Darbhanga in connection with Sadar P.S.Case No.313 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sudhir Singh, J)

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