

Arising out of PS.Case No. -35 Year- 2013 Thana -WEST CHAMPARAN GRP CASE District-
WEST CHAMPARAN(BETTIAH)

.... Petitioner

The State of Bihar.

.... Opposite Party

For the Petitioner : Mr. Brij Kishor Mishra, Advocate.
For the Opposite Party : Mr. Renuka Ratnakar (App)

3 10-06-2015 The petitioner is languishing in custody since
19.02.2015 in connection with Narkatiaganj Rail P.S. Case No. 35
of 2013 for the offences instituted under Sections 302 of the I.P.C.
and 27 of the Arms Act.

The prosecution story, in brief, is that the informant was on duty at Train No. 19040 Up Awadh Express. The train came at 11.35 hours at Railway Station, Paniyahwa, and then the conductor, vendor, traveler and guard came and informed that a dead body was lying at the Berth No. 71 in Coach No. S/14. The Coach conductor and traveler informed him that while the train



proceeded from Bagaha Railway Station, then they heard gun shot firing in Coach No. S/14 causing helter-skelter amongst the traveler. The informant with other police personnels of Scott Party immediately informed to the Officer-in-charge of Kaptanganj Railway Police Station and information was given also to the DJCR/BSB through the phone and thereafter, on instruction of the higher officials he came scouting the dead body to the Chhawani Railway Station, Gorakhpur, where the dead body was got down from the Rail and thereafter, the dead body was recognized on the basis of PAN Card and Aadhar Card recovered from the dead body that the same was of Dipeshwar Kumar, Son of Kaleshwar Ojha, resident of Durga Nagar Chuhari Jado Chhapar, West Champaran(Bihar).

It has been submitted on behalf of the petitioner that the petitioner is not named in the F.I.R. Further it has been submitted that merely on the basis of suspicion he has been made accused in the present case. There is no direct or indirect evidence against him in the present case. Further it has been submitted that there is no circumstantial evidence to suggest his implication in the present case. Further it has been submitted that the petitioner is in custody since 19.02.2015.

On behalf of the State, it has been submitted that in

paragraph no. 133 of the case diary only a suspicion has been raised against the petitioner and except suspicion there is nothing against the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 the learned C.J.M., West Champaran at Bettiah, in connection with Narkatiaganj Rail P.S. Case No. 35 of 2013.

U.K./-

(Sudhir Singh, J)

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