

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12054 of 2015

Arising Out of PS.Case No. -190 Year- 2014 Thana -SHEOHAR District- SHEOHAR

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1. Dilip Rai @ Dilip Kumar Rai S/o Harendra Rai R/o Village- Tajpur,
P.s.+ District- Sheohar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinesh Jha

For the Opposite Party/s Mr. B.M.P Sinha (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

04/ 26.06.2015 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State and also heard learned counsel
appearing for the informant.

Petitioner apprehends his arrest in connection with Sheohar
P. S. case no. 190/2014 registered under section 302 of the Indian
Penal Code.

First information report was lodged against unknown person
when dead body of the deceased was recovered on road. In course of
investigation, it came to light that the petitioner and others along with
the deceased had taken wine prior to recovery of the dead body.

The contention on behalf of the petitioner is that the
deceased met an accident as a result thereof, he died on the spot and
that was the reason, dead body and motorcycle was found on the road
and all belongings of the deceased were found intact.

Learned counsel appearing for the informant submits that no

doubt, no one saw the actual killing of the deceased but circumstantial evidence points out finger towards the petitioner.

From perusal of the post mortem report of the deceased, I find that several injuries were found on the person of the deceased but all the injuries were found on right side which, prima facie, support the theory of accident.

Accordingly, it is ordered that in the event of arrest/surrender within four weeks from the date of receipt of this order to the concerned court, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Sheohar in Sheohar P. S. case no. 190/2014 subject to condition as laid down under section 438(2) of the Cr.P.C.

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(Hemant Kumar Srivastava,J)

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