

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2388 of 2015

Arising Out of PS.Case No. -164 Year- 2008 Thana -BANIAPUR District- SARAN

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Binod Singh Son of Sri Prabhu Nath Singh Resident of vill-Bhithi
Sahabuddin,P.S-Baniyapur,Distt.-Saran at Chapra

.... Petitioner.

Versus

The State of Bihar

.... Opposite Party.

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 20-01-2015 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Originally, the informant filed complaint case bearing Complaint Case No. 2755 of 2008 which was converted into Baniapur P.S. Case No. 164 of 2008 for the offence punishable under Sections-328, 302, 201/34 of the Indian Penal Code and Section-Section-3 (x) of SC/ST (Prevention of Atrocities) Act.

The aforesaid case was investigated by the police and after completion of investigation, police found the accusation untrue and, accordingly, final form was submitted. The final form was accepted by the concerned court but against the acceptance of final form, the informant came before this court and, accordingly, the concerned court was directed to reconsider the matter and

therefore, cognizance for the offence has been taken.

The accusation against the petitioner is that he as well as other accused administered poison to the informant's husband and compelled her to dispose off the deadbody.

Considering the above-said facts and circumstances as well as submission of the parties and keeping in mind that application of SC/ST (Prevention of Atrocities) Act appears to be doubtful, let the petitioner, named above, in the event of his arrest or surrender in the court below within four weeks from today, be released on bail on furnishing bail bond of Rs 10,000/- (ten thousand) with two sureties of the like amount each in connection with Baniapur P.S. Case No. 164 of 2008 to the satisfaction of Chief Judicial Magistrate, Saran at Chapra subject to conditions as laid down u/S 438(2) of the Cr. P.C.

(Hemant Kumar Srivastava, J)

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