

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38739 of 2014

Arising Out of PS.Case No. -42 Year- 2013 Thana -NATHNAGAR District- BHAGALPUR

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1. Badri Tanti W/o Late Inder Tanti R/o village- Dighi, P.S.- Madnu
Sudanpur (Nath Nagar), District- Bhagalpur

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Subodh Prasad, Advocate.

For the Opposite Party/s : Mr. Subhash Chandra Mishra (APP)

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CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI

ORAL ORDER

3 20-01-2015

This is an application, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioner, namely, Badri Tanti, in connection with Nath Nagar (Madhusudanpur) Police Station Case No. 42 of 2013, under Sections 364, 302, 120B of the Indian Penal Code.

Perused the above application and materials on record.

Heard Mr. Subodh Prasad, learned counsel for the petitioner, and Mr. Subhash Chandra Mishra, learned Additional Public Prosecutor, appearing on behalf of the State.

The accused above-named has been in custody since 21.02.2014 and in terms of the information given to the police, which came to be registered as first information

report, informant's brother proceeded on his motorcycle by telling his wife that he would be going to the house of Arvind Singh for taking cash as he has been called there and, thereafter, his brother became traceless and, later on, his dead body was found.

Considering the fact that accused has been in custody since 21.02.2014 and there is no eyewitness to the occurrence nor is there any statement leading to discovery of any article, this Court is of the view that in the facts and attending circumstances, the accused needs to be allowed to go out on bail.

It is, therefore, directed that the accused above-named shall be released on bail of Rs. 10,000/- with two sureties, each of the like amount, subject to the satisfaction of the learned Chief Judicial Magistrate, Bhagalpur.

In terms of the above directions, this bail application shall stand disposed of.

(I. A. Ansari, J.)

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