

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50939 of 2014

Arising Out of PS.Case No. -302 Year- 2014 Thana -KANTI District- MUZAFFARPUR

1. Sanjay Rai Son of Late Binda Rai Resident of Village - Fatheypur, P.S.- Kanti, District -Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Malay Kumar Choudhary

For the Opposite Party/s : Mr. Indu Kumari Srivastava (App)

CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

5 17-03-2015 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case registered for the alleged offence punishable under Sections 302/34 of the Indian Penal Code.

The prosecution case is that the deceased Badal Kumar, the son of the informant had gone out of his house to play but he was not found even after search, at about 9 P. M. the petitioner informed the informant that the dead body of his son Badal Kumar has been thrown across the boundary. It has been suspected that the petitioner and others, with whom there is land dispute, have committed the offence.



Learned counsel for the petitioner has submitted that there is no eye witness to the occurrence and only suspicion has been raised against the petitioner. The petitioner has no land dispute with the informant. There were several persons present at the place of occurrence and only the petitioner picked up a mobile. However, after investigation, charge sheet has been submitted against the petitioner. The petitioner has no criminal antecedent.

Considering the facts and circumstances, the above named petitioner is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Muzaffarpur / court concerned in connection with Kanti P.S.CaseNo. 302/2014 ***after framing of charge*** with following conditions;-

- I) One of the bailors will be the close relative of the petitioner.
- II) The petitioner will not indulge in similar or in any other offence.
- III) The petitioner will be well represented in the Court.
- IV) In case of absence for two consecutive dates

or in violation of the terms of the bail, his
bail bond will be liable to be cancelled by the
Court concerned.

(Amaresh Kumar Lal, J)

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