

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40719 of 2015

Arising out of PS.Case No. -33 Year- 2015 Thana -OBRA District- AURANGABAD

Suresh Choudhary, son of late Ramu Choudhary, R/o Village - Raipura,
P.S. - Obra, District - Aurangabad.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner : Mr. Bachan Jee Ojha, Advocate.

For the Opposite Party : Mr. Arun Kumar Singh-5(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 14-10-2015 Heard learned counsel for the petitioner and learned
counsel for the State

The petitioner is languishing in custody since 20.04.2015
in connection with Obra P.S. Case No. 33 of 2015 for the offences
instituted under Section 302/34 of the IPC.

The prosecution story, in brief, is that the marriage of the
informant has been solemnized with the daughter of Banshi
Choudhary three years ago and on 18.04.2015 at 6.30 hours, he
got information that his mother-in-law Laxminiya Devi has been
murdered and on this information, the informant alongwith his
wife reached in village-Repura and came to know from the
villagers that Suresh Choudhary, Sahdeo Choudhary, Shanti Devi
and Sheo kumari Kuar have committed murder of the deceased by
beating and pressing her neck and the reason behind the
occurrence is that the murder of one Mantu Choudhary has been

committed by Banshi Choudhary who is in jail and in that re-
action this occurrence has been committed. So, the petitioner is
named in the FIR.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. The petitioner is in
custody since 20.04.2015 and the charge sheet has been submitted
in the case. There is no allegation of tampering with the evidence
against the petitioner. The petitioner has been made accused in the
present case merely on the basis of suspicion. No eye witness to
the occurrence. No substantial evidence to suggest the implication
of this petitioner in the present case.

On behalf of the State it has been submitted that the
petitioner is named in the F.I.R.

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 S.D.J.M.,
Daudnagar, Aurangabad, in connection with Obra P.S. Case No.
33/2015.

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(Sudhir Singh, J)