

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42440 of 2015

Arising Out of PS.Case No. -21 Year- 2015 Thana -BANSHI District- JEHANABAD

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1. Mahendra Sharma Son of Late Ranganath Sharma, Resident of village- Moglapur, P.S.- Bansi, District- Arwal

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Jha

For the Opposite Party/s : Mr. Jagdhar Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 09-11-2015 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner is named in the first information report but only suspicion has been raised against him. In course of investigation, three witnesses vide paragraphs no. 31, 32 and 33 of the case diary claimed to have seen the petitioner and some others taking the deceased prior to the alleged occurrence but admittedly, the statement of aforesaid witnesses was recorded by the investigating officer on 25.04.2015 i.e. after 14 days of institution of the present case. The aforesaid witnesses claimed that they disclosed the aforesaid fact before the villagers just after the alleged occurrence but even then the informant did not mention the aforesaid fact, particularly, in the circumstance when the

deceased was found missing since 10.04.2015 whereas informant gave written report on 11.04.2015.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner 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 Sri B.M. Tripathi, Judicial Magistrate 1st Class, Jehanabad in connection with Bansi P.S. Case No. 21 of 2015.

(Hemant Kumar Srivastava, J)

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