

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.27312 of 2015

Arising out of PS.Case No. -55 Year- 2014 Thana -CHAND District- BHABHUA (KAIMUR)

Kamlesh Bind, Son of Musai Bind, resident of village - Barhariya, P.S. Chand, District - Kaimur at Bhabhua.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Tribhuwan Narayan, Advocate.

For the Opposite Party : Mr. Sanjay Kr. Sharma (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 24-09-2015 Heard learned counsel for the petitioner and learned counsel for the State

The petitioner is apprehending his arrest in connection with Chand P.S. Case No. 55 of 2014, G.R. No. 1509/2014, for the offences instituted under Sections 109 and 304(B)/34 of the IPC.

The prosecution story, in brief, is that the marriage of the sister of the cousin of the informant was solemnized with petitioner five years back but after the marriage the accused persons used to make further demand of Motorcycle and in that connection with tortured her and one day petitioner telephonically informed the informant to have talk phone with his father, suspected some un-towards incident visited the house of the petitioner and found the dead body of his cousin's sister in badly

burnt condition kept in the court yard of the accused persons' house and no body was there.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. It is further submitted that a petition has been filed on behalf of the informant which is Annexure-2 to the present application that the present case was instituted due to mistake of fact. It is further disclosed in the said petition that the petitioner was working in the State of Gujrat and who was not present on the alleged date of occurrence when the accident in course of cooking had taken place in respect to the deceased. From perusal of the case diary also it is evident that the father of the deceased has admitted that on the alleged date of occurrence the petitioner was working in the State of Gujrat.

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 in the event of his arrest or surrender before the learned court below within a period of four weeks from today in connection with Chand P.S. Case No. 55/2014, G.R. No. 1509/2014, on furnishing bail bond of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Kaimur at Bhabua,

subject to the conditions as laid down under Section 438(2) of the
Code of Criminal Procedure.

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(Sudhir Singh, J)

