

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33384 of 2015

Arising Out of PS.Case No. -217 Year- 2014 Thana -GAURICHAK District- PATNA

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Jai Singh Son of Late Sonu Mahadeo Singh Resident of Village - Piyaria,
P.S.- Gaurichak, Distrit - Patna

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Singh, Adv.
For the Opposite Party/s : Mr. Dr. M.K. Gautam (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 15-10-2015 Heard both sides.

The petitioner apprehends his arrest in Gaurichak P.S.
Case No. 217/2014, registered for the offences punishable under
Section 302 and other Sections of the Indian Penal Code.

The informant, wife of the deceased alleged that her
husband did not return in the night. She saw him in Gaurichak
market. On the next day, a search was made by her, her brothers-
in-law Amar Nath and Baijnath and others and the dead body of
her husband was found in a ditch. The informant suspected that
the petitioner and others made her husband to drink and killed
him.

It is submitted that except suspicion there is no
material. The informant saw her husband in the market. Her
brother-in-law Amar Nath disclosed in his statement made in para

16 of the case diary that the petitioner came and forced his brother to take wine in the house of Chintu Singh and thereafter the dead body of his brother was found. Amar Nath made his statement under Section 164 of the Cr.P.C. and disclosed that his brother was found in a wine shop with the petitioner and others. There is no eye-witness of the occurrence, even the presence of his brother is doubtful. The wife of the deceased saw him in the market, whereas her brother-in-law Amarnath stated that his brother (deceased) was seen in the company of Chintu Singh and others. Amar Nath in his statement under Section 164 of the Cr.P.C. narrated a different story.

Considering the facts aforesaid and the fact that there is only suspicion against the petitioner, the petitioner above named in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri Sanjay Kumar IV, Judicial Magistrate 1st Class, Patna City in connection with Gaurichak P.S. Case No. 217/2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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