

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.47990 of 2015

Arising out of PS.Case No. -20 Year- 2005 Thana -BARIYARPUR District- MUNGER

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Chali Singh @ Chalitar Singh @ Charitar Singh, Son of Late Ram Kishun Singh, Resident of Village - Harinmar, P.S. - Bariyarpur, District - Munger.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ajit Kumar Singh, Advocate.
For the Opposite Party : Mr. Aditya Narayan Singh 1(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 01-12-2015 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 07.07.2015 in connection with Bariyarpur P.S. Case No. 20 of 2005 for the offences instituted under Sections 302 and 201/34 of the IPC.

The prosecution story, in brief, is that on 01.02.2005, the husband of the informant had gone to Bariyarpur Prakhand Office, but till date he has not come back and for that the informant had already lodged a Sanha on 12.02.2005 but after lodging of Sanha of missing of her husband on 05.04.2005 Gopal Singh and Kedar Singh informed the informant that her husband after finishing his work at Prakhand Office had stayed at the house of Bhagwat Yadav due to night, and further alleged that the petitioner and others committed the murder of her husband in the same night.

It has been submitted on behalf of the petitioner that the

petitioner has got no criminal antecedent. The petitioner is in custody since 07.07.2015 and the charge sheet has been submitted in the case. There is no allegation of tampering of the evidence against the petitioner. The petitioner is named in the FIR merely on the basis of suspicion. In paragraph no. 22 of the case diary, the statement of one Kedar Singh was recorded. The said witness has stated that the petitioner and others had committed the murder of the informant's husband on 01.02.2005. The said statement has been made after two months of the alleged occurrence as to when this witness happens to be the cousin brother of the informant. The other co-accused have been granted bail by this Court vide Cr. Misc. No. 39020/2013 and 46615/2014.

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 Additional Sessions Judge-Ist, Munger, in connection with Sessions Trial No. 141/2015, arising out of Bariyarpur P.S. Case No. 20/2005.

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(Sudhir Singh, J)