

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12206 of 2015

Arising Out of PS.Case No. -141 Year- 2013 Thana -SARMERA District- NALANDA
(BIHARSHARIFF)

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1. Suraj Paswan Son of Dayanand Paswan resident of village - Dharampur,
Police Station - Sarmera, District - Nalanda

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. Sanjay Kumar Sharma(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 05-05-2015 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection
with Sarmera P.S. Case No. 141 of 2013 registered for the offence
under Sections-302, 201/34 of the Indian Penal Code.

The petitioner happens to be brother of the deceased
and initially, the present case was registered on the basis of
fardbeyan of mother of the petitioner, who lodged the present case
against 5 FIR named persons. After institution of the aforesaid
case, when police did not take any positive steps in respect of the
present case, it is said that mother of the petitioner filed Cr.W.J.C.
No. 176 of 2014 and after that, the informant of the present case as

well as his family members, for the first time, made accused in this case in supervision note of police officials and thereafter, on 21-06-2014 the statements of two witnesses were recorded at paragraphs-60 & 61 of the case diary and the said witnesses, claimed to have seen the petitioner and others, committing the murder of the deceased.

Admittedly, the present case was lodged on 09-11-2013 and the statements of aforesaid witnesses were recorded on 21-06-2014 i.e. too, after filing of Cr.W.J.C. No. 176 of 2014.

Considering the aforesaid facts and circumstances as well as submission of the parties, in the event of his arrest or surrender within four weeks from the date of receipt/production of copy of order in the court below, let the petitioner named above, be released on bail on furnishing bail bond of Rs 10,000/- (ten thousand) with two sureties of the like amount each in connection with Sarmera P.S. Case No. 141 of 2013 to the satisfaction of Sri Ranjan Kumar Mishra, Judicial Magistrate-Ist Class, Nalanda at Bihar Sharif subject to conditions as laid down u/S 438(2) of the Cr. P.C.

A.K.V./-

(Hemant Kumar Srivastava, J)

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