

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.36920 of 2014**

Arising Out of PS.Case No. -126 Year- 2014 Thana -MEERGANJ District- GOPALGANJ

Harilal Gupta @ Mintu

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Bipin Bihari Singh

For the Opposite Party/s : Mr. S.N.Shukla(App)

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**

ORAL ORDER

3 16-01-2015

Heard learned counsels for the petitioner and the State.

The petitioner is languishing in custody since 2.5.2014 in a case registered for the offences punishable under Sections 302/34 of the Indian Penal Code and 27 of the Arms Act.

It is alleged that the informant was informed by this petitioner that some unknown thieves entered into the house, committed theft and killed the daughter of the informant. The informant suspected that her son-in-law committed murder of her daughter since the petitioner used to give threatening as he was suspecting that his wife had some illicit relationship with someone else while he was employed abroad.

It is submitted by the learned counsel for the petitioner that only on suspicion the accusation has been levelled. There is no eye witness to the occurrence.

Learned counsel for the State submitted that the entire case diary does not suggest that any investigation was made whether any theft was committed in the house of the petitioner or not nor any evidence was collected as to how the deceased was killed.

The above facts reflect the casual manner in which the investigation has been made in this case.

Though petitioner has been chargesheeted under sections 302/34 IPC and section 27 of the Arms Act but since the investigating agency failed to collect any direct evidence against the petitioner, let the above named petitioner 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 learned CJM, Gopalganj in connection with Mirganj P.S. Case No. 126 of 2014.

The learned court below shall be at liberty to cancel the bail bonds of the petitioner in case the petitioner defaults without any reasonable cause on two consecutive occasions.

Let a copy of this order be transmitted to the Director General of Police, Bihar, Patna.

**(Dinesh Kumar Singh, J)**

Anil/-

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