

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48002 of 2015

Arising Out of PS.Case No. -131 Year- 2007 Thana -DUMRAUN District- BUXAR

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Baban Tiwari Son of Late Baijnath Tiwari, resident of village -Mati Goda,
Post Office - Rakha Mans, District - East Singhbhum (Jharkhand).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Parijat Saurav, Adv.

For the Opposite Party/s : Mr. Md.Sufiyan (App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 15-10-2015 Heard learned counsel for the petitioner Mr. Parijat Saurav
and learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Sessions Trial No. 116 of 2008 arising out of Dumraon P.S. Case
No. 131 of 2007 registered for offences punishable under Sections
302/201 of the Indian Penal Code.

The prosecution case in short is that the informant received
an information that one dead body was lying in the well in village
Akalpur Vahiya. He reached there and saw the dead body of a
man. He further alleged that some unknown persons have killed
the said unidentified person 4-5 days ago and has dumped the dead
body in the well.

It has been submitted by the counsel for the petitioner that

he has clean antecedent which finds place at Para 3 of the petition and he is not named in the FIR. It is on the basis of the petition filed by the prosecution under Section 319 that his name surfaced. It has further been submitted that the police has submitted charge sheet only against apprehended accused persons but has exonerated the petitioner.

In such circumstances, let the petitioner, namely, Baban Tiwari, in the event of his arrest / surrender within a period of six weeks from today before the Court below, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge VI, Buxar in connection with Sessions Trial No. 116 of 2008 arising out of Dumraon P.s. Case No. 131 of 2007 subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Nilu Agrawal, J)

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