

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 13904 of 2015

Arising Out of PS.Case No. -117 Year- 2010 Thana -BHORE District- GOPALGANJ

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Raj Kumar Sah S/o Sri Yogendra Sah, village- Kuchaikote, P.S.-
Kuchaikote, District- Gopalganj

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

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

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3. 09-10-2015 Heard Sri Sanjay Kumar, learned counsel for the
petitioner and learned Addl. Public Prosecutor.

The petitioner, who is in custody since 14-01-2015 in
Bhorey P.S. Case No. 117 of 2010 registered for the offence under
Sections 366-A, 34 of the Indian Penal Code, has prayed for grant
of bail.

Learned counsel for the petitioner submits that on
perusal of the F.I.R., it is evident that only on suspicion, the
petitioner alongwith some others were made accused. However,
during investigation, no cogent material was collected to suggest
the involvement of the petitioner. Only on suspicion, the
petitioner has also been charge-sheeted. Learned counsel for the
petitioner tried to persuade the Court that in the year 2009, some

altercation had taken place with the informant side and as such, due to previous enmity, the petitioner was named as accused in the F.I.R.

Learned Addl. Public Prosecutor submits that in the case diary, number of witnesses have stated that the victim was seen going to the house of petitioner, however; they were not in a position to specify as to whether it was a case of last seen of the victim with the petitioner or not.

It is true that till date, victim has not been recovered, but fact remains that only on suspicion, the petitioner has been made accused.

In view of the facts & circumstances, let the petitioner namely Raj Kumar Sah be enlarged 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 C.J.M., Gopalganj/concerned court in connection with Bhorey P.S. Case No. 117 of 2010.

(Rakesh Kumar, J.)

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