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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12479 of 2016

Arising Out of PS.Case No. -64 Year- 2010 Thana -SARMERA District- NALANDA (BIHARSHARIFF)

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Balmiki Chauhan, son of Late Mahaveer Chauhan, resident of village- Hussaina Bigha, P.S.- Sarmera, District- Nalanda.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :
For the Petitioner/s : Mr. Anil Kumar Singh, Advocate
For the Opposite Party/s : Mr. Anita Kumari (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 18-03-2016 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered under Sections 302, 201 and 120(B) of the Indian Penal Code.

Although, petitioner is named in the first information report, but only suspicion was raised against him. In course of investigation, the son of deceased as well as some witnesses stated that one year prior to the alleged occurrence, a quarrel had taken place between the petitioner and the deceased and petitioner had given threatening to the deceased. Furthermore, it would appear from the impugned order that the present case was lodged in the year 2010 and the petitioner was declared absconder. The learned court below, taking note of the aforesaid facts, rejected the bail

prayer of the petitioner.

Submission on behalf of the petitioner is that none has seen the actual killing of the deceased and, as a matter of fact, petitioner was out of station and that was reason neither he could surrender nor could be arrested in the present case.

Considering the aforesaid facts and circumstances as well as submissions of the parties, 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 C.J.M., Nalanda at Biharsharif in connection with Sarmera P.S. Case No.64 of 2010.

(Hemant Kumar Srivastava, J)

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