

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.18016 of 2016

Arising out of PS.Case No. -152 Year- 2014 Thana -SHERGHATI District- GAYA

Arjun Pasi @ Prem Pasi @ Murli Pasi, Son of Girja @ Chunchunia Pasi,
Resident of Village - Katshila, P.S. - Katshila, District - Purulia (West
Bengal)

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Raj Dular Sah, Advocate.

For the Opposite Party : Mr. Surendra Kumar(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 24-08-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 14.11.2015
in connection with Sherghati (Dobhi) P.S. Case No. 152 of 2014
for the offences instituted under Sections 302 and 201/34 of the
IPC.

The prosecution story, in brief, is that on 11.06.2014 at
about 10.00 A.M., the informant's brother, Ratan Chaudhary, went
for begging but not returned till evening at 6.00 P.M. and after
suspicion the family members started searching and they came to
know on 13.06.2014 at about 12.00 noon by some playing boys
that one dead body was in the well situated west of Bengali Dih



Village and on such information the informant alongwith cousin Teniya Chaudhary went there and identified the dead body as his brother Ratan Chaudhary. He further stated that Bharat Singh, Tinku, Baby, all three residents of Village- Chakand Adda, P.S. Chandauti, District-Gaya, Murli, petitioner and Ruppu both residents of Chalanua, P.S. Bagodar, District Hazaribagh, murdered his brother and threw the dead body in the well. He further stated that two months ago Bharat Singh quarreled and threatened to eliminate all the family members.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 14.11.2015 and the charge sheet has been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioner. He has got no criminal antecedent. He is named in the F.I.R. merely on the basis of suspicion. There is no eye witness to the alleged occurrence nor there is any circumstantial evidence to suggest his implication in the present case. The other co-accused has been granted bail by another co-ordinate Bench of this Court vide Cr. Misc. No. 15849 of 2015.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, 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 the learned A.C.J.M., Sherghati, Gaya, in connection with Sherghati(Dobhi) P.S. Case No. 152/2014.

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(Sudhir Singh, J)