

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57332 of 2015

Arising Out of PS.Case No. -373 Year- 2015 Thana -MAHUA District- VAISHALI(HAJIPUR)

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Banar Rai @ Nagendra Rai @ Banar Son of late Udan Rai Resident of
Village- Mahua Mukundpur, Ps Mahua, District Vaishali.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anand Prakash, Advocate

For the Opposite Party/s : Mr. Anil Kr. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

3 05-02-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in connection with Mahua P.
S. Case No. 373 of 2015 registered under Section 302/34 of the
Indian Penal Code and Section 27 of the Arms Act.

It has been contended that the petitioner is named in
the FIR. The informant of the present case is not an eye witness
to the occurrence. The allegations are based on wild suspicion
and even during the course of investigation, no witness has
come forward to say that the petitioner had committed the
murder of the brother of the informant.

Learned counsel for the State concedes that apart from

circumstantial evidence, there is no other material to connect the petitioner with the alleged occurrence. He has submitted that there are hearsay witnesses who have supported that prior to the occurrence, the petitioner had threatened the brother of the informant with dire consequences.

Regard being had to the facts and circumstances of the case, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in Mahua P. S. Case No. 373 of 2015.

(Ashwani Kumar Singh, J.)

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