

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47361 of 2016

Arising Out of PS.Case No. -2 Year- 2005 Thana -KUDRA District- BHABHUA (KAIMUR)

=====

1. Ram Awatar Ram Son of Kishor Ram Resident of Village- Bhelama,
P.S.- Kudara, District- Kaimur at Bhabua.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey, Advocate

For the Opposite Party/s :

=====

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

2 08-11-2016 Heard learned counsel for the petitioner. State is non represented.

It has been alleged by the informant, Bigani Devi that her son, Sipahi Ram was taken away by one Gyanchand Ram on 01.01.2005 who was accompanied by others including the petitioner. When Sipahi Ram did not return, she made hectic search and during course thereof, came to know regarding presence of a dead body in a well. After taking it out, the dead body was identified as that of her son.

From the order impugned, it is evident that petitioner was not sent up for trial. However, differing therefrom the learned magistrate summoned the petitioner. As per para-11 of the petition, there happens to be specific disclosure that vide order dated 06.01.2014 petitioner has been summoned to face trial.

From the order impugned, it is also apparent that other co-accused are enjoying privilege of bail. Prayer of the petitioner was simply rejected on the ground of his non appearance at an earlier occasion.

Petitioner happens to be under custody since 28.07.2016.

Accordingly, petitioner, namely, Ram Awatar Ram is directed to be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Kaimur at Bhabua Court in connection with Kudra PS Case No. 02 of 2005.

perwez

(Aditya Kumar Trivedi, J)

U		T	
---	--	---	--