

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45847 of 2016

Arising Out of PS.Case No. -113 Year- 2016 Thana -MURLIGANJ District- MADHEPURA

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Awadhesh Kumar Son of Jai Narain Yadav. Resident of village- Belo, Tol
Bhatta, P.S. Murliganj, District- Madhepura

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar, Advocate

For the Opposite Party/s : Mr. R.B. Roy Raman, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 28-11-2016

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the
offences under Sections 302 and 120(B)/34 of the I.P.C.

Allegation is that the accused persons including the
petitioner under conspiracy committed the murder of the son of
the informant in order to grab loan amount and kept his dead body
on railway track in order to disappear the evidence by showing
accident from train.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 19.6.2016 and the charge sheet
has been submitted in the present case. There is no allegation of
tampering of witnesses alleged against the petitioner. The
petitioner has falsely been implicated in the present case. The



petitioner has been named in the F.I.R. merely on the basis of suspicion. It is at best a case of last seen. The alleged occurrence is said to have taken place on 7.12.2015 whereas F.I.R. has been instituted on 12.4.2016. Delay has not been explained by the prosecution. The other co-accused has been granted bail vide Annexure 3 to the present application and Cr.Misc.No.45357 of 2016.

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

Considering the aforesaid facts and circumstances, it is directed that 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 learned Chief Judicial Magistrate, Madhepura in connection with Murliganj P.S. case No.113 of 2016.

(Sudhir Singh, J)

Narendra/-

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