

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43454 of 2016

Arising Out of PS.Case No. -195 Year- 2016 Thana -MADHEPURA District- MADHEPURA

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Pappu Kumar Son of Late Shambhu Yadav Resident of Village- Garhiya,
Police Station- Madhepura, District- Madhepura.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Uday Chand Prasad, Advocate.

For the Opposite Party : Mr. Tarkeshwar Nath Thakur, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 20-12-2016 Heard both sides.

The petitioner seeks bail in Madhepura P.S. Case No. 195 of 2016, registered for the offences punishable under Sections 302, 201 and 34 of the Indian Penal Code.

The widow of the deceased alleged that on 12.04.2016 at about 07:00 in the evening her husband tied the cow and went towards mission but he did not return till in the night. On the next day during course of search the dead body of her husband was found by the side of the road. The informant suspected that Baleshwar Bhagat and nine others including the petitioner must have killed her husband by strangulating him.

Learned counsel for the petitioner submits that save and except suspicion the investigating officer did not collect any incriminating material against the petitioner. It has come that the



petitioner was talking with the sons of Baleshwar Bhagat but this fact does not show any involvement of the petitioner in the killing of Brahmdeo Sah. It is further submitted that the petitioner was arrested on mere suspicion and a mobile was recovered from his possession. From mobile number 7547007842 twice call was made to the deceased on his mobile number 7654414977 but the same was in the name of another person resident of district of Vaishali. On mere suspicion the petitioner was remanded in this case.

Learned counsel for the informant as well as learned APP opposed the prayer for bail. Sri Sriram Shahi, learned counsel for the informant submits that the petitioner has got criminal antecedent. From paragraph-68 of the case diary the involvement of the petitioner is apparent but paragraph-68 of the case diary is the supervision note of Dy. S.P. and it has also not been ascertained that it was the petitioner who rang the deceased at two times at about 07:00 in the evening.

Considering the facts aforesaid, the petitioner above named is directed to be enlarged 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 Chief Judicial Magistrate, Madhepura in Madhepura P.S. Case No. 195 of 2016.

(Prabhat Kumar Jha, J.)

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