

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1809 of 2015

Arising Out of PS.Case No. -377 Year- 2013 Thana -KUDHNI District- MUZAFFARPUR

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Monu Kumar @ Kundan Kumar Son of Ramu Singh, Resident of Village -
Bajitpur, P.S. - Kurhni, District - Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jagjit Roshan

For the Opposite Party/s : Mr. J.N. Thakur(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

07/ 11-05-2016

Heard learned counsels for the petitioner

and the State.

The petitioner is apprehending his arrest in
a case registered for the offences punishable under Sections 363,
364 and 365 of the Indian Penal Code.

The prosecution case is that the son of the
informant Raja Kumar went to computer coaching classes on
23.11.2013 and from there he went in the company of the
petitioner to Gauhati. This fact conveyed by the victim to the
informant. The petitioner returned but the son of the informant
did not return. When query being made the petitioner made
several excuses. Raja Kumar was carrying Laptop, mobile and
cash of rupees twelve thousand but all things were found

missing.

It is submitted by learned counsel for the petitioner that the petitioner went in the company of the victim to Gauhati and stayed in the house of maternal aunt of the victim but in the morning the petitioner got the victim found not there and his Laptop and other things were also found missing. It is further submitted that the victim went on 23.11.2013 when the FIR was registered 10.12.2013 and only on suspicion the accusation has been levelled.

The matter has been adjourned for awaiting the DNA report since there was recovery of a dead body.

It is further submitted by learned counsel for the petitioner that the DNA report suggests that it was not the dead body of the victim Raja Kumar.

It is submitted by learned counsel for the informant that there are strong circumstantial evidence that the petitioner was in the company of the victim and from there he went traceless.

Considering the nature of accusation, let the learned court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders before the learned

court below within a period of six weeks from today in connection with Kurhni P.S. Case No. 377 of 2013 pending in the court of learned Chief Judicial Magistrate, Muzaffarpur.

Accordingly, this application is disposed of.

(Dinesh Kumar Singh, J)

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