

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28640 of 2016

Arising Out of PS.Case No. -21 Year- 2016 Thana -SAHAR District- BHOJPUR

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1. Murlidhar Rai, S/o Late Triveni Rai, R/o Village Baruhi, P.S. Sahar,
District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar

For the Opposite Party/s : Mr. Sri S. Ehteshamuddin

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 19-07-2016 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 302/34 of the Indian Penal
Code and Section 27 of the Arms Act.

Petitioner is named in the first information report
along with others on the accusation that he as well as others took
informant's father and subsequently, informant heard sound of
firing and went near the place of occurrence and thereafter, found
his father dead lying in pool of blood.

Submission on behalf of the petitioner is that
according to prosecution case itself, the alleged occurrence took
place in the midnight and there was no source of identification and

moreover, the ferdbeyan was recorded in the next morning and no explanation regarding the aforesaid delay has been given.

The investigation against the petitioner has already been completed as petitioner is in jail custody since 22.02.2016 and admittedly, no one has seen the actual killing of the deceased. Petitioner does not have any criminal antecedent.

Having regard to the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Bhojpur at Ara in connection with Sahar P.S. Case No. 21 of 2016.

(Hemant Kumar Srivastava, J)

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