

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50049 of 2015

Arising Out of PS.Case No. -101 Year- 2014 Thana -SARE District- NALANDA
(BIHARSHARIFF)

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Rudal Paswan S/o Late Chandeshwar Paswan, Resident of Village - Bhairo
Bigha, P.S. - Sare, District - Nalanda.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rabindra Prasad Singh, Advocate

For the Opposite Party/s : Mr. Atul Chandra (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 09-02-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in
connection with Sare P.S. Case No.101 of 2014 for the offence
instituted under Section 302/34 of the Indian Penal Code.

The prosecution story, in brief, is that the informant
namely Kishori Thakur gave a written information before S.H.O.
Sare Police Station on 12.10.2014 stating therein that on
11.10.2014 his son Ashiki Thakur was engaged in free labour
service in the construction of chaukhandi at Shivela of the village.

It is further alleged that at about 6 P.M. when the
work was over he got a lota from his house and went towards
south khanda to attend the call of nature and when he did not

return home up to 7 P.M. the informant searching him but he was not tress out and the informant attempted to connect of his mobile no.9708446435 it was found switch off. Thereafter the informant along with his family members went towards south khanda for his searching and in that cause in parti land, his Chhapal and broken mobile was found.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. Petitioner is not named in the F.I.R. The name of the petitioner has come merely on the basis of suspicion. Except for suspicion, there is no substantive evidence to suggest his implication in the present case. The other co-accused have been granted bail vide Cr. Misc. No.31947 of 2015.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of arrest or surrender in the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Biharsharif, in connection with Sare P.S. Case No.101 of 2014, subject to the conditions as

laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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