

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.210 of 2016

Arising Out of PS.Case No. -84 Year- 2015 Thana -EKANGARSARAI District- NALANDA
(BIHARSHARIFF)

=====

Mantu Kumar, S/o Uday Kumar Sinha, R/o Village- Chakmushri, P.s.-
Akangarsarai, Dist. Nalanda.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ Manu, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar(App)

=====

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

4 18-02-2016 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 302, 201/34 of the
Indian Penal Code.

It is contended that the father of the deceased is not the
eye witness to the occurrence and his statement recorded under
Section 161 Cr. P.C., as would be evident from paragraph 34 of
the case diary, is meaningless as he did not have any knowledge of
the occurrence as he himself has stated that he got knowledge of
the dead body lying on the well after reading the newspaper. Not
only that, after FIR was registered, the father of the deceased had
filed a protest petition also before the court concerned and has
named several persons but not named the petitioner regarding any

involvement, as would be evident from paragraphs 34, 35 and 36 of the case diary. It appears that he has merely a hearsay witness and there is no material on record indicating involvement of the petitioner in the commission of the crime, whereas direct allegation is against one Ranjit Kumar and six others.

Having regard to the facts and circumstances of the case, let the petitioner, namely, Mantu Kumar be released on bail in the event of his arrest/surrender before the court below within a period of six weeks from today in connection with Ekangarsarai P.S. Case No.84/2015, on furnishing bail bond of Rs.10,000 (Ten Thousand Rupees) with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, Hilsa subject to the conditions as laid down under sub-section (2) of Section 438 of the Code of Criminal Procedure.

(Dr. Ravi Ranjan, J)

V.K. Pandey/-

U		T	
---	--	---	--