

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38348 of 2016

Arising Out of PS.Case No. -43 Year- 2016 Thana -ADHAURA District- BHABHUA (KAIMUR)

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Bullu Shah S/o Komal Shah, Resident of village- Doria, P.S.- Raipur,
District- Sonbhadra (U.P.)

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Singh, Advocate

For the Opposite Party/s : Mr. Parmanand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 13-12-2016 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered under Sections 302/34 of the Indian Penal Code.

The prosecution case, in brief, is that the informant's
father was sleeping in dalan after having dinner. In the morning
the informant's wife went to wake him up, she found that
informant's father has been murdered with an axe. Then she
informed the informant through mobile at Bhabua. When
informant came home, he saw that there were several cut marks of
axe on the body of his father i.e. head, neck and hand. The
informant suspected that the accused persons including the
petitioner killed his father.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of



tampering of witnesses alleged against the petitioner. The petitioner has been named in the F.I.R. merely on the basis of suspicion. In course of investigation co-accused Ravi Shankar @ Tengra has also named the petitioner. Except for the confessional statement, there is no other substantive evidence to suggest the implication of the petitioner nor there is any substantial evidence to show the participation of the petitioner.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhabhua, District Kaimur in connection with Adhaura P.S. case No.43 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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