

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29159 of 2016

Arising Out of PS.Case No. -458 Year- 2015 Thana -PURNEA SADAR District- PURNIA

Wakil Mahaldar, S/o Late Ramu Mahaldar, resident of village Ghorghat,
P.S. Sadar Muffasil, District Purnea.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner : Mr. Praveen Kumar Agrawal, Advocate.

For the Opposite Party : Mr. Ram Anurag Singh (APP)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

4 02-09-2016

Heard learned counsel for the petitioner and
learned counsel for the State.

The petitioner is languishing in custody in
connection with Sadar Muffasil P.S. Case No. 458 of 2015 for the
offences instituted under Sections 302 and 120B/34 of the Indian
Penal Code.

The prosecution story in brief, is that on
23.11.2015 at about 11.00 A.M., accused Shankar Mahto came to
the house of informant namely Surji Devi and took her husband
towards *musahari* and she also gave Rs. 2000/- to her husband to
pay the loan amount. It is further alleged that on 24.11.2015 at
7.00 A.M. the informant came to know from her cousin son-in-
law and son that her husband was killed near Rampur *musahari*.
The informant learnt from the nearby people that accused

Shankar Mahto along with his associates have committed murder of her husband.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 30.11.2015. The charge sheet has been submitted in the present case and there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is not named in the First Information Report and his name has come on his self confession. It has further been submitted that there is no eyewitness to the alleged occurrence or any circumstantial evidence to suggest his implication in the present case.

On behalf of the state, it has been submitted that the petitioner is not named in the First Information Report.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Purnea, in connection with Sadar Muffasil P.S. Case No. 458 of 2015.

(Sudhir Singh, J.)

Amit/-

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