

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.21064 of 2016

Arising out of PS.Case No. -64 Year- 2015 Thana -SURSAND District- SITAMARHI

Saukat Sah, S/o Islam Sah, resident of Vilalge- Dhanrahi, P.S. Sursand, District Sitamarhi.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Ritesh Kumar Narain Singh, Advocate.

For the Opposite Party : Mr. M. K. Nirala(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 24-08-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 11.09.2015 in connection with Sursand P.S. Case No. 64 of 2015 for the offences instituted under Sections 302 and 120(B)/34 of the IPC.

The prosecution story, in brief, is that on 19.03.2015 at 8.00 P.M., the full brother of the informant, namely, Md. Motim Rain, went to Majhaura Chawk, but did not return back. In the next morning at 6.30 A.M., the informant learnt that his brother Md. Motim Rain has been killed by some one by cutting his neck. The informant went there and found the dead body of his brother lying there.

It has been submitted on behalf of the petitioner that the

petitioner is in custody since 11.09.2015 and the charge sheet has been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioner. He has got no criminal antecedent. He is not named in the F.I.R. Subsequently, the family members of the deceased named the petitioner making out a case of last seen. There is no eye witness to the alleged occurrence.

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

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 S.D.J.M., Pupri, Sitamarhi, in connection with Sursand P.S. Case No. 64 of 2015.

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(Sudhir Singh, J)