

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21304 of 2016

Arising out of PS.Case No. -490 Year- 2015 Thana -KAHALGAON District- BHAGALPUR

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Chandan Kumar, Son of Ram Swaroop Mandal, resident of Village -
Paithanpura, Ward no. 1, P.S. Kahalgaon District Bhagalpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Pravin Kumar Sinha, Advocate.

For the Opposite Party : Mr. Umesha Nand Pandit (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

6 08-08-2016

Heard learned counsel for the petitioner and learned

counsel for the State.

The petitioner is languishing in custody since 25.11.2015 in connection with Kahalgaon P.S. Case No. 490 of 2015 for the offences instituted under Sections 302 and 201 of the IPC. However, after investigation, the police submitted charge sheet under Sections 364/34 of the IPC.

The prosecution story, in brief, is that on 23.11.2015 the second son of the informant, namely, Sujit Kumar, had gone to Basa to take rest and on the alleged night he stayed there and thereafter the informant's son did not return to his house. The informant made hectic search to her son at different places but no trace was made out. It was learnt that on the alleged night the petitioner Chandan Kumar and Ranjoy Kumar Yadav came to the Basa and offered wine to her son. Thereafter the informant

suspected that her son, namely, Sujit Kumar, was killed or disappeared his dead body.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 25.11.2015 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. Merely on the basis of suspicion, the petitioner has been named in the F.I.R. After investigation, the police has submitted charge sheet under Sections 364/34 of the I.P.C. There is no direct or indirect evident against the petitioner for his involvement in the present case.

On behalf of the State it has been submitted that the petitioner is 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 4th Additional Sessions Judge, Bhagalpur, in connection with Kahalgaon P.S. Case No. 490 of 2015 (Sessions Trial No. 268/2016).

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(Sudhir Singh, J)