IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4205 of 2016

Arising Out of PS.Case No. -55 Year- 2015 Thana -MUSRIGHARARI District- SAMASTIPUR

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Anand Kumar Choudhary @ Anand Choudhary Son of Ram Naresh Choudhary Resident of Village -Ujiarpur, P.s Ujiarpur, District Samastipur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :
For the Petitioner : Mr. Jitendra Narain Sinha,Advocate
For the Opposite Party : Mr. Manish Kr. 2(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 22-04-2016 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection with Musrigharari P.S. Case No. 55 of 2015 registered for the offences punishable under Sections 302,201,120B/34of the Indian Penal Code.

The learned counsel for the petitioner submits that the present petitioner has been brought into this case only on account of the fact that he is son-in-law of one Hemant Kumar Choudhary with whom there was some differences between the deceased and Sushil Kumar. It is further submitted that during the course of investigation, it has emerged that the deceased Sanjay Jha was of a doubtful character and was having illicit relation with one Barsha

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Kumari, who is the daughter of Renu Devi W/o Sushil Kumar Choudhary. As such the land dispute arose between the deceased and Sushil Kumar and not this petitioner.

Case diary was called for, which has since been received.

Learned counsel appearing on behalf of the State, after perusal of the case diary submits that save and except statement made by co-villager in paragraph-68 of the case diary, there is no material in the case diary so as to point finger at this petitioner. The only statement which has surfaced in the para-68 of the case diary is that it has stated that the petitioner is the son-in-law of one Hemant Chaudhary in whose house the petitioner was last said to be seen taking food and drinks.

Considering the entire gamut of fact and circumstances and save and except suspicion, there is no further cogent material in the case diary and that the petitioner has no criminal antecedent, let the petitioner above named, in the event of his arrest or surrender before the Court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri Atul Kumar Singh, Additional Chief Judicial

Magistrate-IV, Samastipur in connection with Musrigharari P.S. Case No. 55 of 2015 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjana Mishra, J)

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