

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.21307 of 2016

Arising out of PS.Case No. -228 Year- 2014 Thana -PIRPAINITI District- BHAGALPUR

Golu Yadav @ Vivek Kumar, S/o Ashok Yadav, resident of Village- Purani Sahibganj, PS Nagar Thana Sahibganj, district Sahibganj (Jharkhand).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Pramod Kumar Singh, Advocate.

For the Opposite Party : Mr. Satyavarta Verma (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 27-06-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is apprehending his arrest in connection with Pirpainty P.S. Case No. 228 of 2014 for the offences instituted under Sections 365, 364, 302, 201 and 120(B)/34 of the IPC.

The prosecution story, in brief, is that on the alleged date of occurrence, the son of the informant, namely, Ujjawal Kumar, aged about 11 years, went to Olapur to see the fair of Durga Puja but he did not return.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. The petitioner has falsely been implicated in the present case. He is not named in the

FIR. In the restatement made by the informant in paragraph no. 3 of the case diary there also he has not been named by the informant. Subsequently, in the third statement recorded in paragraph no. 36 of the case diary he has raised a suspicion against this petitioner. Except for suspicion raised by the informant in his third statement, there is no other substantive piece of evidence to implicate the petitioner in the present case.

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 in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Pirpainty P.S. Case No. 228/2014 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-II, Bhagalpur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

U		T	
---	--	---	--

(Sudhir Singh, J)