

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38385 of 2016

Arising Out of PS.Case No. -304 Year- 2015 Thana -HILSA District- NALANDA
(BIHARSHARIFF)

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1. Shankar Yadav son of Late Yamuna Yadav Resident of village
Medhma, P.S. Karai Parsurai, District Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

6 13-12-2016 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

Petitioner is languishing in custody for the
offences punishable under Section 302/34 of the Indian Penal
Code and Section 27 of the Arms Act.

The F.I.R. was lodged after dead body of the
younger son of the informant was received. Informant suspected
that his elder son Mukesh @ Ghuti Yadav as well as cousin, this
petitioner, might have committed murder due to property dispute.

Mukesh @ Ghuti Yadav faced trial in S.T. No.
471 of 2015 wherein the informant did not make any suspicion
against Mukesh @ Ghuti Yadav as a result whereof Mukesh @
Ghuti Yadav was acquitted in the case. However, informant stated



that he is confident that this petitioner has committed the murder.

Submission of the petitioner is that only suspicion is there even during investigation no eyewitness supported the prosecution case.

Learned counsel for the informant opposed the prayer on the ground of criminal antecedent.

Considering the facts and circumstances aforesaid, let petitioner, above named, 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 learned Additional Chief Judicial Magistrate-II, Hilsa, Nalanda/Successor Court, in connection with Hilsa P.S. Case No.304 of 2015.

Mkr./-

(Birendra Kumar, J)

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