

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39285 of 2015

Arising Out of PS.Case No. -57 Year- 2015 Thana -PIRPAINTI District- BHAGALPUR

Sukim Khan @ Sk. Sokim Son of Doman Khan, Resident of Village-
Sukhari P.S.- Mehruma, District- Godda (Jharkhand).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Dilip Kumar

For the Opposite Party : Mr. Sharda Kumari(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 01-02-2016 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. 57 of 2015 for the offences instituted
under Sections 302 and 201 of the Indian Penal Code.

As per prosecution case that the daughter of the
informant had gone to attend the nature's call at 6.00 P.M. on
26.02.2015 but she could not return. On search he got the dead
body of Sajida Khatoon in Bahiyar in a sugarcane field and her
neck was tied with scarf. It is alleged that the petitioner is Hywah
Truck driver and from last one month, he was coming in the
village and was having talked with the deceased. It is alleged that
the petitioner had come in the village from motorcycle on the date
of occurrence.

It has been submitted on behalf of the petitioner that the

petitioner has got no criminal antecedent. Petitioner is named in the FIR merely on the basis of suspicion. The alleged date of occurrence is 26.02.2015 but the FIR was instituted on 28.02.2015. No explanation has been made in respect to delay in instituting the FIR. There is no eye witness to the alleged occurrence nor there is any circumstantial evidence to support the prosecution 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 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. 57 of 2015 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Bhagalpur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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