

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50354 of 2016

Arising Out of PS.Case No. -38 Year- 2016 Thana -SIDHWARA District- DARBHANGA

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Radheshyam Sharma S/o Late Raj Kumar Sharma Resident of Village -
Lakhanpur, P.S. Katra, District Muzaffarpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Amarendra Narayan, Advocate.

For the Opposite Party Mr. Braj Kishore Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 20-12-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 15.06.2016
in connection with Singhwara P.S. Case No. 38 of 2016 for the
offences instituted under Sections 363,364, 302 and 201 of the
IPC. Subsequently, Sections 364, 302 and 201 of the IPC were
also added.

The prosecution story, in brief, is that on 18.03.2016 at
about 12' O clock, the son of the informant, namely, Mukesh
Kumar Sah, is untraced. After hectic search, no trace could be
made.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 15.06.2016 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 is not named in the FIR. In course of investigation, it has come that the deceased was seen last with the petitioner. At best, it is a case of last seen. There is no substantive evidence to suggest his implication 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 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Darbhanga, in connection with Singhwara P.S. Case No. 38 of 2016.

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(Sudhir Singh, J)

