

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45286 of 2015

Arising Out of PS.Case No. -82 Year- 2013 Thana -RAUTARA District- KATIHAR

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Laddu Rishi @ Laddu Kumar Rishideo @ Laddu Rishideo Son of Late Bindeshwari Rishi, Resident of Village - Dumra, P.S. - Chousa, District - Madhepura, Permanent Address - Chandisthan Makhdumpur P.S. - Purani, District - Madhepura.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Yogendra Kumar Singh

For the Opposite Party : Mr. Smt.Renuka Ratnakar (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 27-01-2016 Heard learned counsel for the petitioner and learned counsel for the State

The petitioner is apprehending his arrest in connection with Rautara P.S. Case No. 82 of 2035 for the offences instituted under Sections 342, 323, 304, 307 and 302/34 of the Indian Penal Code.

As per prosecution case that on the alleged date of occurrence the son of the informant, namely, Nawal Rishi was going to distribute radio under Government planning to the people of Panchayat and after distributing radio while he was coming back to his house, five accused persons riding three motorcycle intercepted him and with intent to kill him attached with sharp edged weapon on the head and thigh of said Nawal Rishi, who sustained grievous bleeding injuries and he has been referred to

Patna for treatment and thereafter he died.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. The alleged occurrence is said to have been committed on 23.07.2013 but the case was instituted on 26.07.2013. No explanation has been made by the prosecution in respect to delay in instituting the case. There is no eye witness to the alleged occurrence. Merely on the basis of suspicion, the petitioner has been named in the FIR. There is no direct or indirect evidence to suggest the implication of the petitioner.

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 Rautara P.S. Case No. 82 of 2013 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Katihar, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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