

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47251 of 2015

Arising Out of PS.Case No. -52 Year- 2015 Thana -GHOSI District- JEHANABAD

Srikant Ram son of Late Bilash Ram Residents of Village- Chandhariya,
P.S.- Ghosi and District- Jehanabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Griyaghey

For the Opposite Party/s : Mr. Pranav Kumar(App)

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 27-01-2016 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Ghoshi (O.P. Okari) P.S. Case No. 52 of 2015 registered
under Section 302/34 of the Indian Penal Code.

The allegation against the petitioner and 6 others
named in the F.I.R. is that they took away Md. Aslam, husband of
the informant, from the house and killed him and threw dead body
in the field.

Learned counsel appearing on behalf of the
petitioner submits that it would appear from the F.I.R. that while
the petitioner and 5 others are named in fardbeyan, but in the
F.I.R. in addition to the accused named in the fardbeyan, unknown

villagers have also been made accused. In fact, the Police on receiving information about lying two dead bodies reached at the place of occurrence and identified as one Sanjay Mehta and another Md. Aslam and both dead bodies were sent for postmortem. Thereafter, the statement of the informant, wife of the deceased Md. Aslam was recorded, in which she named the petitioner. It is further submitted that after realizing the mistake, the informant has already filed the application on 19.03.2015 in the trial Court to the effect that she had not seen the occurrence. Moreover, co-accused Sabindra Kumar has already been allowed bail by a Bench of this Court vide Cr. Misc. No. 29513 of 2015 on 28.07.2015.

Having considered the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the C.J.M., Jehanabad in connection with Ghoshi P.S. Case NO. 52 of 2015, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Rajendra Kumar Mishra, J)

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