

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48705 of 2015

Arising Out of PS.Case No. -342 Year- 2015 Thana -BIDUPUR District- VAISHALI(HAJIPUR)

1. Nokhi Rai, Son of Late Harihar Rai, Resident of Village- Daudnagar,
P.S.- Bidupur, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rathore Vasundhara

For the Opposite Party/s : Ms. Gulnar Begum(App)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 19-01-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with a
case registered for the offences punishable under Sections
302/120B/34 of the Indian Penal Code and Section 27 of the Arms
Act.

Diary in this case was called for earlier which has since
been received.

Learned counsel for the petitioner submits that the name of
this petitioner has been taken only on mere suspicion. He further
submits that it is highly improbable that the informant has seen the
petitioner along with the persons, she has seen fleeing when she
heard the sound of gun shot at the middle of night.

Learned counsel for the State after perusal of the case diary

submits that save and except the allegation in the First Information Report, there is no further cogent material in the case diary. In paragraphs No. 36 and 39 of the case diary, it has come that the grandson of the brother of the deceased was suspected to have participated in the occurrence as there was clear-cut enmity between the deceased and the said grandson, namely, Munna Kumar.

Considering the aforementioned fact and circumstances and that the petitioner is of clean antecedent, let the petitioner, in the event of his arrest / surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the each amount to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Bidupur P.S. Case No. 342/2015 subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Anjana Mishra, J)

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