

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39162 of 2016

Arising Out of PS.Case No. -1 Year- 2016 Thana -SULTANGANJ District- BHAGALPUR

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1. Sudhir Yadav son of Ganesh Yadv Resident of Village-Masdi, P.S.
Sultanganj District Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiwesh Chandra Mishra

For the Opposite Party/s : Mr. Satyadev Prasad Singh Yadav

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 20-10-2016 Heard both sides.

The petitioner apprehends his arrest in Sultanganj
P.S. case No. 01/2016 under Section 365, 364 of the Indian Penal
Code.

The informant, widow of the deceased, Babloo
Singh, alleged that her husband was driving Bolero jeep of the
petitioner, Sudhir Yadav. Four passengers came and took the
vehicle of her husband to Amarpur but her husband did not return.
The informant alleged that owner of the vehicle and four other
persons, who had hired the vehicle of the deceased, killed her
husband.

The learned counsel for the petitioner submits that
there is no eye witness of the occurrence. Pankaj Kumar, another

driver of a vehicle, disclosed that Babloo Singh took four passengers to Amarpur on his Bolero but he did not return. During the course of investigation, none of the witness disclosed the name of the petitioner. The vehicle was found in the jurisdiction of Habibpur P.S. and dead body of deceased, Babloo Singh, was found near Lalmatiya. The Investigating Officer has not collected any material to show the involvement of the petitioner in the killing of his driver, Babloo Singh.

Considering the facts aforesaid and the nature of allegations made against the petitioner, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, is directed to be enlarged 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 Additional Chief Judicial Magistrate, Bhagalpur in Sultanganj P.S. Case No. 01 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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