

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54830 of 2015

Arising Out of PS.Case No. -105 Year- 2015 Thana -KORHA District- KATIHAR

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Gopal Mandal Son of Makhan Mandal Resident of Village : Pachma, P.S. :
Korha, District : Katihar.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner : Mr. Rekha Prasad, Advocate

For the Opposite Party : Mr. Harendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 23-02-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Korha P.S. Case No. 105 of 2015 for the offences instituted
under Sections 302 and 201/34 of the IPC.

The prosecution story, in brief, is that at about 12 noon
on 21.06.2015 the dead body of a lady aged about 50-55 years was
found lying in the banana field of one Pawan Choudhary, the
informant informed to the police and thereafter lodged the FIR.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. After 35 years of the
marriage with the co-accused, the present occurrence is said to
have taken place. There is no motive alleged against the petitioner.

There is no eye witness alleged against him. Petitioner is not named in the FIR. The name of the petitioner has come in course of the investigation on the basis of confessional statement of a co-accused. The name of the petitioner has come merely on the basis of suspicion.

On behalf of the State, it has been submitted that the petitioner is not named in the FIR.

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 Korha P.S. Case No. 105 of 2015 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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