

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.49609 of 2015

Arising out of PS.Case No. -141 Year- 2013 Thana -GAYGHAT District- MUZAFFARPUR

Dinesh Kumar, Son of Sri Yoigendra Sah, resident of Mohalla- Bhikhanpur ,P.sAhiyapur ,District Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Nilesh Kumar, Advocate.

For the Opposite Party : Mr. Sanjay Kumar Pandey (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 08-02-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is apprehending his arrest in connection with Gaighat P.S. Case No. 141 of 2013 for the offences instituted under Sections 302, 201/34 and 120(B) of the IPC.

The prosecution story, in brief, is that the son of the informant, Sanjay Paswan, was doing job in the pathology centre of Dinesh Kumar and he had gone to Pathology centre on 07.06.2013 but did not return and in the next morning, the informant came to know that the dead body of Sanjay Paswan is lying near a bridge and thereafter, the informant alongwith other villagers reached there and found the dead body of Sanjay Paswan

in the river and his motorbike was lying by the side of river. The informant further alleged that Dinesh Kumar in a conspiracy with Mundrika Paswan and Shankar Paswan killed his son Sanjay Paswan and threw his dead body in the river due to some land dispute.

It has been submitted on behalf of the petitioner that the petitioner has falsely been implicated in the present case. The name of the petitioner had come in the case on the basis of suspicion. From perusal of paragraph nos. 4, 5, 6, 7, 8 and 9 of the case diary, it is evident that the deceased had died due to road accident. A petition has also been filed on behalf of the informant in the court below stating that he had instituted the present case due to mistake of fact.

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 Gaighat P.S. Case No. 141/2013 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. Ist Class, Muzaffarpur, subject to the conditions as

laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

