

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.20138 of 2016

Arising out of PS.Case No. -31 Year- 2007 Thana -BITHAN BAZAR District- SAMASTIPUR

Dahour Yadav, Son of late Babaji yadav, resident of Village- Larjha , P.S.- Bithan, District- Samastipur. .

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Ashok Kumar Mishra, Advocate.

For the Opposite Party : Mr. Satyaverat Verma (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 18-07-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 07.10.2015 in connection with Bithan P.S. Case No. 31 of 2007, corresponding to S.T. No. 689/2015, for the offences instituted under Sections 302 and 201/34 of the IPC.

The prosecution story, in brief, is that the informant's grand-son left the house in the afternoon of 01.05.2007 and he did not return. Subsequently, his dead body was found in a river on 02.05.2007. It was bearing mark of violence.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 07.10.2015 and the charge sheet has been submitted in the present case. The petitioner has got no

criminal antecedent. There is no allegation of tampering with the evidence against the petitioner. The petitioner is not named in the F.I.R. He has been made accused as the informant has raised suspicion against the petitioner in his re-statement. Except for suspicion there is no other material to implicate the petitioner in the present case. There is no eye witness to the alleged occurrence.

On behalf of the State it has been submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge, Rosera, Samastipur, in connection with Bithan P.S. Case No. 31/2007, corresponding to S.T. No. 689/2015.

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(Sudhir Singh, J)