

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.22799 of 2016

Arising Out of PS.Case No. -111 Year- 2013 Thana -BELSAND District- SITAMARHI

Pramod Rai @ Pramod Yadav, son of Kailash Rai, resident of village-Hasaur, P.S.- Belsand, District- Sitamarhi.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Satyendra Narayan Singh, Advocate.

For the Opposite Party : Mrs. Veena Rani Pd.(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 16-09-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 22.03.2016 in connection with Belsand P.S. Case No. 111 of 2013 for the offences instituted under Sections 302 and 201/34 of the IPC.

The prosecution story, in brief, is that on 20.09.2013 at about 1.00 P.M., the informant got information that on the bank of old Bagmati river, a dead body of a woman was lying and foul smell was coming from the dead body. On this, the informant went there and saw and identified the dead body as the dead body of his Bhabho Shila Devi and injury was caused on her hand. It is alleged that his Bhabho was Chairman of J.D.U. Women Cell of Belsand Block and often she had gone to Belsand. On 18.09.2013,

she went to Belsand but did not return till night. She had no enmity with anybody.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 22.03.2016 and the charge sheet has been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioner. The petitioner is not named in the FIR. There is no eye witness to the alleged occurrence nor there is any circumstantial evidence to suggest the implication of the petitioner in the present case. Except for suspicion, there is no other material for making the petitioner accused in the present case. The other co-accused has been granted bail by another co-ordinate Bench of this Court vide Cr. Misc. No. 29624 of 2014.

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 petitioner above named, 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 the learned A.C.J.M., Sitamarhi, in connection with Belsand P.S. Case No. 111 of 2013.

U.K./-

U		T	
---	--	---	--

(Sudhir Singh, J)