

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20529 of 2016

Arising out of P.S.Case No. -160 Year- 2015 Thana -DIGHWARA District- SARAN

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Md. Anwar Hussain Alias Anu @ Anwar Hussain, son of Md. Alam Hussain, resident of Village- Maricha Gadh, P.S.-Sarai, District- Vaishali at present residing at village-Shitalpur, P.S.- Dighwara, District- Saran at Chapra.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kumar Singh, Adv.
Mr. Avinash Shekhar, Adv.

For the State : Mr. Arun Kr. Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 20-07-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 31.10.2015 in connection with Dighwara P.S. Case No. 160 of 2015 for the offences instituted under Section 365 of the Indian Penal Code.

The Prosecution story, in brief, is that the Informant Ram Ajay Kumar Roy lodged a written report alleging that his elder brother namely, Abhay Roy, went out from the home, he did not return. After search, his dead body was recovered after cutting into several pieces on the confessional statement of the petitioner.

It has been submitted on behalf of the petitioner that

the petitioner has got no criminal antecedent. The petitioner is in custody since 31.10.2015 and the charge sheet has been submitted in the present case. There is no allegation of tempering with the evidence against the petitioner. His name has come in the present case merely on the basis of suspicion. There is no eye witness to the alleged occurrence. There is no circumstantial evidence to suggest his implication in the present case.

On behalf of the learned counsel for the State and the learned counsel for the Informant, it has been submitted that the petitioner has confessed his guilt before the police.

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 Additional Chief Judicial Magistrate, Saran at Chapra, in connection with Dighwara P.S. Case No. 160 of 2015.

S.Ali/-

(Sudhir Singh, J)

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