

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17598 of 2016

Arising out of PS.Case No. -1 Year- 1995 Thana -MANIHARI District- KATIHAR

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JIBAN PARIHAR, S/o Umesh Parihar, resident of Village - Teghra
Gopalpur, P.S. - Manihari, District - Katihar.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Bal Krishna Mishra, Advocate.

For the Opposite Party : Mr. A.A.Khan(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 02-09-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 06.09.2015
in connection with Manihari P.S. Case No. 01 of 1995,
corresponding to G.R. Case No. 21 of 1995 for the offences
instituted under Sections 302/34 of the IPC.

The prosecution story, in brief, is that the informant has a
tea and breakfast shop in a hut at *Kawaiya Ghat* and his father
after taking meal at night used to sleep in his shop. On the very
morning, when the informant having taken some goods from his
house reached to his shop, he found that his father was lying dead
and the neck of the father of the informant was cut and he was
fully blood stained. Further, it is alleged that the petitioner, who is
the brother-in-law of the informant, had threatened his father, as
he was not giving *Rukhsadi* of his daughter to the petitioner, who

is professionally a criminal and the informant suspects that the petitioner has committed the offence of murder of his father.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 06.09.2015 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 has got no criminal antecedent. The informant is not an eye witness to the alleged occurrence. He has been named on suspicion. There is no circumstantial evidence to suggest his implication in the present case.

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 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Fast Track Court, Katihar, in connection with Manihari P.S. Case No. 01 of 1995.

U.K./-

(Sudhir Singh, J)

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