

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28217 of 2016

Arising Out of PS.Case No. -415 Year- 2015 Thana -KAHALGAON District- BHAGALPUR

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Ganga Bishnu S/o Shanker Mahto resident of Village Maheshamunda, P.S. Kahalgaon, District - Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Pandey, Advocate
For the Opposite Party/s : Mrs Renu Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 30-08-2016 Heard learned counsels for the petitioner and the State.

The petitioner is languishing in custody since 12.02.2016 in connection with Kahalgaon P.S. Case No. 415 of 2015 registered for offences under Sections 302 and 201/34 of the Indian Penal Code.

The prosecution case, in brief, is that in the evening of the date of occurrence, one Soniya called the husband of the informant on mobile phone on which the husband of the informant went there but he did not return to his house. Thereafter, in course of search, the informant came to know that a dead body was found in village Lailakh, and was sent for post-mortem at Bhagalpur. Thereafter, the informant and other persons came at Bhagalpur, and identified the deadbody as the

husband of informant.

On behalf of the petitioner, it is submitted that the petitioner is in custody since 12.02.2016. Charge-sheet has been submitted in the present case. There is no allegation of tempering of witnesses alleged against the petitioner. The petitioner is not named in the FIR. His name has come on the basis of 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 Chief Judicial Magistrate, Bhagalpur in connection with Kahalgaon P.S. Case No. 415 of 2015.

(Sudhir Singh, J)

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