

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37844 of 2016

Arising Out of PS.Case No. -46 Year- 2012 Thana -AMARPUR District- BANKA

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Supari Roy @ Supari Ray Son of late Harkhu Ray Resident of Village-
Guduwa, Police Station- Katorua(Suiya) District Banka.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Balram Kapri, Advocate.

For the Opposite Party : Mr. Murlidhar, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 21-11-2016 Heard the learned counsel for the petitioner and

the learned APP for the State.

The petitioner is languishing in custody since
11.05.2016 in connection with Amarpur P.S.Case No.46 of
2012 registered for offence punishable under Sections 302,
201 and 34 of the IPC.

The prosecution case as lodged by the Chaukidar
is that he found a decomposed and charred body hanging
from the tree and a FIR was lodged against unknown persons.

It has been submitted by the counsel for the
petitioner that the dead body of one Dilip Rai son of Hari Rai
was recovered from a tree. The petitioner is not named in the
FIR and the case has been registered against unknown



persons. It has further been submitted that after more than a month, a story was spread in the village that the petitioner along with one Chhotu Rai was having illicit relations with the wife of the deceased Dilip Rai, hence the petitioner along with Chhotu Rai were responsible for the murder of the deceased and after murdering him, the deceased was hanged from the tree. He submits that the said allegation is against one Chhotu Rai and the petitioner only on the basis of suspicion and that Chhotu Rai has already been granted the privilege of bail along with the accused Sunita Devi in Cr.Misc.No.20745 of 2014 and Cr. Misc. No. 8281 of 2014 on 24.12.2014. He submits that apart from suspicion, there is no other cogent material to connect the petitioner in the present offence.

However, the learned APP for the State submits that various paragraphs of the case diary go to show that the petitioner was instrumental and committed the offence although not named in the FIR.

Be that as it may, since the co-accomplice of the petitioner, Chhotu Rai, has been granted the privilege of bail and the allegations are similar, 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 CJM, Banka in connection with Amarpur P.S.Case No.46 of 2012.

(Nilu Agrawal, J)

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