

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26497 of 2016

Arising Out of PS.Case No. -630 Year- 2015 Thana -AHIAPUR District- MUZAFFARPUR

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Akash Kumar son of Umesh Mahto, resident of Village Nazirpur, P.S. Ahiyapur, Distt. Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Adv.

For the Opposite Party/s : Mr. Sri Jitendra Kumar Roy 1

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 26-08-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 27.07.2015 in connection with Ahiyapur P.S. Case No. 630 of 2015, Tr. No. 1708 of 2016 registered for offences under Sections 302 and 201/34 of the Indian Penal Code.

The prosecution story, in brief, is that while the informant was on duty at SKMCH, Police Camp, he received information regarding the dead body of an unknown person lying near the village Chakghazi beside the river Budhi Gandak. It is further alleged that after informing the Senior Police Official, the informant reached near the spot and found that some unknown miscreant has committed the murder by means of sharp edged

weapon and has thrown away the dead body at a lonely place in order to hide the evidence.

On behalf of the petitioner, it is submitted that the petitioner is in custody since 27.07.2015. Charge-sheet has been submitted in the present case. There is no allegation of tempering of witnesses alleged against the petitioner. It is a case of last seen. Petitioner is not named in the FIR. Other co-accused has been granted bail vide Cr. Misc. No. 57767 of 2015.

On behalf of the learned counsels for the State and the informant, it has been submitted that the petitioner is not named in the F.I.R. His name has come in course of investigation and there is strong motive alleged against him.

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, Muzaffarpur in connection Ahiyapur P.S. Case No. 630 of 2015, Tr. No. 1708 of 2016.

(Sudhir Singh, J)

Prakash/-

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