

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27004 of 2016

Arising Out of PS.Case No. -70 Year- 2014 Thana -BEERPUR District- BEGUSARAI

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Gopal Kumar @ Abhishek Kumar S/o Pashupati Ray, R/o Village- Dinkar Nagar, Professor Colone, Behind G.D. College, P.S. Nagar, District- Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harsh Singh, Advocate

For the Opposite Party/s : Mr. Murlidhar, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 30-08-2016

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the offences under Sections 302/34 of the I.P.C. and Section 27 of the Arms Act.

The prosecution story, in brief, is that in the evening of 2.6.2014 the petitioner along with his Kushmesh Kumar and 3-4 unknown persons came at the door of the informant and asked about his son Jotish Kumar to accompany them to attend the marriage ceremony. Then son of the informant was accompanied by the petitioner and others. On the next day at about 8 A.M. the informant received information that dead body of his son Jotish Kumar is lying in village Babhangama. Then the informant along with family members went there and found the dead body of his son, who sustained fire arm injury.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 27.4.2016 and the charge sheet has been submitted in the present case. The petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. It is a case of last seen. There is no eye witness to the alleged occurrence nor there is any circumstantial evidence to implicate the petitioner in the present case. No motive has been alleged against the petitioner for committing the said offence. The other co-accused has been granted bail vide Annexure-4 to the present application.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that 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 Sri Amit Anand, J.M., 1st class, Begusarai in connection with Birpur P.S. case No.70 of 2014.

(Sudhir Singh, J)

Narendra/-

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