

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37206 of 2016

Arising Out of PS.Case No. -170 Year- 2015 Thana -MUSAHRI District- MUZAFFARPUR

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1. Lal Babu Sahni Son of Surendra Sahani, resident of Village- Bari Kothiya, P.S. - Mushari, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Bela Singh, Advocate

For the Opposite Party/s : Mr. Shantanu Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 27-10-2016 Heard learned counsel for the petitioner, the State and the informant.

The petitioner seeks bail in a case instituted for the offences under Sections 302 and 120B of the I.P.C.

Allegation is that the petitioner and co-accused Suraj Sahni took the son of the informant in their custody and killed him in the night hour and kept the dead body in a hut.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 14.6.2016 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. The informant is not an eye witness to the alleged occurrence. The witnesses in

paragraphs 38 and 39 of the case diary have stated that the deceased was a drunkard. Last night he had also taken drink and due to over drinking he died. There is no motive alleged against the petitioner. The co-accused has been granted bail vide Cr.Misc.No.17988 of 2016.

On behalf of the State and the learned counsel for the informant, it is submitted that the petitioner is named in the F.I.R. and he is being suspected to have committed the murder of the deceased.

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 learned Sub Judge 3rd-cum- A.C.J.M., Muzaffarpur in connection with Mushahari P.S. case No.170 of 2015.

(Sudhir Singh, J)

Narendra/-

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