

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45291 of 2015

Arising Out of PS.Case No. -67 Year- 2015 Thana -SIRDALA District- NAWADA

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Pintu Prasad Son of Radhey Mahto Resident of village - Rajan, P.S.
Sirdalla, District - Nawada

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjay Kumar Sinha

For the Opposite Party : Mr. Ahmad Ali(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 27-01-2016 Heard learned counsel for the petitioner and learned
counsel for the State

The petitioner is apprehending his arrest in connection
with Sirdala P.S. Case No. 67 of 2015 for the offences instituted
under Sections 364, 302 and 120(B) of the Indian Penal Code.

As per prosecution case, it is a case of murder of
informant's husband, namely, Kapil Prasad by the accused
persons.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. From perusal of the FIR,
it appears that the alleged date of occurrence is 13.10.2014 and a
complaint case was filed in respect of the same on 05.11.2014. No
explanation has been made on behalf of the prosecution regarding

the delay in institution of the FIR. There is no eye witness to the alleged occurrence. In fact, the deceased had died in Delhi and he had been cremated in Delhi which is itself apparent vide Annexure-2 to the present application. Petitioner has been made accused due to previous enmity.

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 in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Sirdala P.S. Case No. 67 of 2015 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of Shri Sabir Kumar, Judicial Magistrate, Ist Class, Nawada, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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