

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38577 of 2016

Arising Out of PS.Case No. -145 Year- 2015 Thana -HARSIDHI District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Vikesh Kumar Son of Harendra Sahni Resident of Pannapur Bazar, P.S-
Harsidhi, District West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur

For the Opposite Party/s : Mr. Smt. Anita Kumari

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

3 27-10-2016 Heard both sides.

The petitioner apprehends his arrest in Harsidhi P.S.
Case No. 145 of 2015, registered for the offences punishable
under Sections 302 and 34 of the Indian Penal Code.

The informant alleged that when she went to broom her
thatched house in the morning, she found the dead body of her
husband lying on the cot. The informant suspected that the
petitioner and others might have killed her husband.

Learned counsel for the petitioner submits that save and
except suspicion there is no material against the petitioner. It is
submitted that the deceased was suffering from Asthma and he fell
down, that is why he died due to suffocation. No external injury or

internal injury was found on the person of the deceased. It is further submitted that save and except suspicion there appears that Investigating officer has not yet collected any tangible material to show the involvement of the petitioner, but it appears from perusal of the case diary that the son of the deceased found the petitioner sitting on a bridge situated near the house of the informant in the mid of night. Except this fact there appears no tangible evidence.

Considering the facts aforesaid, the petitioner above named in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged 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, East Champaran at Motihari in connection with Harsidhi P.S. Case No. 145 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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