

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50079 of 2015

Arising Out of PS.Case No. -72 Year- 2013 Thana -RIVILGANJ District- SARAN

Prabhu Rai Son of Late Satai Rai, Resident of Village - Jakhua, Police Station - Revelganj, District - Saran at Chapra.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Narendra Kumar, Advocate

For the Opposite Party/s : Mr. Ansuiya Jaiswal (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 09-02-2016

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in connection with Revelganj P.S. Case No.72 of 2013 for the offence instituted under Section 302/34 of the Indian Penal Code.

The prosecution story, in brief, is that on 8.7.2013 at 9.0 P.M. the father of the informant Lalji Roy had gone away to milk the cow of his villager Shri Kant Singh and when he did not return upto 10.00 P.M. then he went there and searched his father and then he came to know that accused Shambhu Roy had taken away to his father somewhere with him. After that he went at the house of said Shambhu Roy and Rama Roy father of accused Shambhu Roy said that my son had gone away to bring his buffalo at village Rewari Mathiya with your father. After that he went

away to his house.

It has been submitted that the petitioner has got no criminal antecedent. Petitioner has been named in the present case merely on the basis of suspicion. Except for suspicion, there is no substantive evidence to show the involvement of the petitioner in the present case. Police has submitted the final form in the case. From perusal of the postmortem report, it appears that the deceased had died due to Tuberculosis.

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

Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of arrest or surrender in the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Sri S.C. Srivastava, Judicial Magistrate, Saran at Chapra, in connection with Revelganj P.S. Case No.72 of 2013, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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