

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56683 of 2015

Arising Out of PS.Case No. -39 Year- 2015 Thana -AMDABAD District- KATIHAR

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Ritesh Singh @ Ritesh Kumar Singh S/o Sanjay Singh R/o Gobagachhi, P.S
Amdabad, District Katihar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : M/s Krishna Pd. Singh, Sr. Advocate and
Sanjeev Kumar Singh, Advocate

For the State : Mr. Shantanu Kumar, APP

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

5 29-04-2016 Heard learned counsel for the petitioner and the

State.

The petitioner apprehends his arrest in a case registered
for offences punishable under Sections 302, 120B/34 of the IPC
and 27 of the Arms Act.

Son of the deceased has lodged First Information
Report stating therein that three persons were killed. It is stated
in the First Information Report that, before the death, father of
the informant had stated that son and son –in – law of Mahendra
and Narayan Sah and others have inflicted firearm injury.

It is contended that the informant has named this
petitioner, though not named by his deceased father. He has not
stated that he is the eye witness or even what was the source of

his knowledge about this petitioner also being involved in killing of three persons. It is contended only on the basis of suspicion that the petitioner was there at the house of Narayan Sah two days back, he has been named for killing the three deceased along with others. It is urged that the main accusation is against the son and son-in-law of Mahendra and Narayan Sah and certain unknown persons. It is lastly contended that nothing has come during the course of investigation linking the petitioner to the aforesaid occurrence.

Learned counsel for the State has submitted that it has come during the investigation that three months back there was scuffle between the parties and, for that, Amdabad P.S. Case Nos. 1 of 2015 and 2 of 2015 were registered.

However, it is contended on behalf of the petitioner that he has not been named in those cases and his antecedent is clean and as such there is no evidence against him in the entire case diary except the suspicion. It is urged that the suspicion however may be strong, cannot take place of evidence.

Having regard to the facts and circumstances of the case, let the petitioner, namely Ritesh Singh @ Ritesh Kumar Singh be released on bail in the event of arrest/surrender before the court below within a period of six weeks from today in

Amdabad P.S. Case No. 39/2015, on furnishing bail bond of Rs.10,000(Ten Thousand Rupees) with two sureties of the like amount each to the satisfaction of Mr. B.K.Choudhary, J.M. 1st Class, Katihar subject to the conditions as laid down under sub-section(2) of Section 438 of the Code of Criminal Procedure.

(Dr. Ravi Ranjan, J)

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