

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26859 of 2016

Arising Out of PS.Case No. -197 Year- 2015 Thana -WARSALIGANJ District- NAWADA

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Anup Singh, S/o- Late Baleshwar Singh, Resident of village- Kochgaon,
P.S- Warisaliganj, District- Nawada.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Devendra Prasad Singh

For the Opposite Party/s : Mr. Sri Madan Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 13-07-2016

Heard Sri Devendra Prasad Singh, learned counsel

for the petitioner, Sri Madan Kumar, learned Addl. Public
Prosecutor as well as Sri Ashutosh Ranjan Pandey, learned
counsel, who has voluntarily appeared on behalf of the informant

The sole petitioner, who is in custody in
Warisaliganj P.S. Case no.197/2015 registered for the offence
under Section 302/34 of the Indian Penal Code, has prayed for
grant of bail.

It was submitted by learned counsel for the
petitioner that of course in the F.I.R. there is accusation that the
petitioner along with other two persons had done to death father of
the informant by strangulation, in the postmortem report, no
definite finding has been recorded regarding cause of death.

Learned counsel for the petitioner has referred to Annexure-2 to the petition i.e. photo copy of Postmortem Report.

Learned Addl. Public Prosecutor and Sri Ashutosh Ranjan Pandey have vehemently opposed the prayer for bail of the petitioner. It was submitted by Sri Pandey, learned counsel for the informant that the petitioner has been specifically named as accused in the F.I.R. with allegation of causing death to the father of the informant. However, he is not in a position to dispute the fact that the postmortem report does not support the prosecution case.

In view of facts and circumstances, let the petitioner, namely, Anup Singh 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 learned Sub Divisional Judicial Magistrate, Nawada in connection with Warisaliganj P.S. Case no.197/2015.

(Rakesh Kumar, J)

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