

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33290 of 2016

Arising Out of PS.Case No. -12 Year- 2016 Thana -BHADAUR District- PATNA

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Laxman Kumar, Son of Santosh Singh, Resident of Bakawa, P.S.- Bhadaur,
District- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Sri Amrendra Prasad, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 24-08-2016

Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Bhadaur P.S. Case no. 12 of 2016, registered under Section
302/34 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation of informant, namely, Pinki Devi is
that on 30.01.2016, she went to Barh for treatment of her
daughter, while her sons, namely, Raushan Kumar and Ganesh
Kumar were present in the house. After check up of her daughter,
in the night, at 09.00 P.M., she was informed that her son,
namely, Raushan Kumar has been murdered. Thereafter, she
along with her brother reached near the place of occurrence and
found her son sustained fire arm injury. She raised suspicion
against Bipin Singh, Amir Singh, Vikash Kumar etc., who had

earlier given threatening for revenge.

Learned counsel for the petitioner submits that it would appear from the F.I.R. itself that informant has only raised suspicion against co-accused Vikash Kumar, Bipin Singh, Amir Singh and others having hand in the murder of her son. Later on, informant also raised suspicion against one Munna Singh in her statement under Section 161 of Cr.P.C. The name of the petitioner surfaced in the confessional statement of said Munna Singh, except that there is nothing against the petitioner. The petitioner has falsely been implicated in this case due to previous enmity.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, 1st Class, Barh in connection with Bhadaur P.S. Case No. 12 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J.)

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