

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26824 of 2016

Arising Out of PS.Case No. -376 Year- 2015 Thana -SAHEBPUR KAMAL District- BEGUSARAI

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Dilip Das, S/o Anuplal Das, R/o village- Tarbanna, P.S.- Sahebpur Kamal,
District- Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rai Mukesh Sharma, Adv.

For the Opposite Party/s : Mr. Sri Madhuranand Jha, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 29-08-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 14.03.2016 in
connection with S.Kamal P.S. Case No. 376 of 2015 registered for
offences under Sections 302 and 201/34 of the Indian Penal Code.

The prosecution story, in brief, is that the informant
received information on 9.10.2015 at 10.30 O clock that his
brother in-law Sharawan Kumar, has died in village Tarbanna
where after he reached the place of occurrence and in the Lichi,
Mango and Banana orchard of Moghal Mahton, saw several
persons assembled and his sala Sharawan was roped with gamcha
in his neck and was hanging from the Lichi tree. It has further
been alleged that some unknown persons have committed murder

somewhere else and hang him in the lichi tree.

On behalf of the petitioner, it is submitted that the petitioner is in custody since 14.03.2016. Charge-sheet has been submitted in the present case. There is no allegation of tempering of witnesses alleged against the petitioner. Petitioner is not named in the FIR. In course of investigation, it is alleged that one day prior to the recovery of the dead body of the deceased, there was some hot exchange between the petitioner and the deceased. Neither there is eye-witness to the alleged occurrence nor any circumstantial evidence to suggest his implication in the present case.

On behalf of the State, it has been submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released 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, Begusarai in connection with S.Kamal P.S. Case No. 376 of 2015.

(Sudhir Singh, J)

Prakash/-

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