

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.57373 of 2015

Arising Out of PS.Case No. -302 Year- 2014 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

1. Santosh Rai @ Santosh Kumar Yadav Son of Late Sri Bhagwan Rai
resident of village - Ramban, P.S. Shyampur, District - Sheohar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Smt.Pushpa Sinha - 2 (App)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 14-01-2016 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner apprehends his arrest in connection with
Madhuban P.S.Case No. 302 of 2014, G. R. Case No. 2015/2014
registered for offences punishable under Sections 302/34 of the
Indian Penal Code.

The prosecution case is that the father of the informant
Raghav Rai went to watch his crop field, but while he was coming
back, F.I.R. named accused persons killed him, as, in the previous
evening the informant saw other co-accused Bijli Singh coming by
tractor to the house of another accused Pawan Rai, where all the
accused persons were present and making plan to kill the father of
the informant. Earlier the accused persons had also threatened the
father of the informant.

It has been submitted by the learned counsel for the

petitioner that the informant is not an eye witness to the occurrence and only on suspicion, this accusation has been leveled against him after recovery of the dead body of the victim.

Considering the suspicious nature of accusation, similarly situated co-accused persons, Umashankar Rai has been granted regular bail vide Cr. Misc. No., 31168 of 2015 on 18.08.2015 and Pawan Rai and Ramashankar Rai have been granted the privilege of anticipatory bail in Cr. Misc. No. 43598 of 2015 on 15.10.2015 by this Court.

It has been submitted by the learned counsel for the petitioner that the accusation against him is same and similar. I do not propose to take a different view on similar allegations.

Be that as it may, let the above named petitioner in the event of his arrest or surrender before the Court below within a period of eight weeks from today be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Sikrahana at Motihari, East Champaran in Madhuban P.S. Case No. 302 of 2014, G. R. Case No. 2015 of 2014, subject to the conditions laid down under Section 438 (2) of the Cr. P.C.

(Nilu Agrawal, J)

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