

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58234 of 2015

Arising Out of PS.Case No. -112 Year- 2015 Thana -CHAND District- BHABHUA (KAIMUR)

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1. Bikash Srivastava @ Bikash Kumar Srivastava Son of late Chandrabhan Lal @Patai Lal Resident of Village- Chandosh, P.s Chand, District Kaimar (Bhabhua)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Pandey

For the Opposite Party/s : Mr. Anuj Kumar Srivastava (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 09-03-2016 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in connection with Chand P.S.Case No. 112/2015 instituted under Sections 302/34 of the Indian Penal Code.

The prosecution story, in brief, is that the husband of the informant Amarnath Yadav made heavy drunk by Gulab Bind. Later on the husband of the informant slept upon the chouki on darwaza. In the morning when the daughter of the informant Chanda Kumari went to awake his father, her father was dead and the whole head was spread into pieces, bleeding was also there. Two months prior to the occurrence Bikash Srivastava and Rajesh Ram threatened the deceased of dire consequence. After the occurrence all the accused persons had left the village.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. The informant is not an eye witness to the alleged occurrence. There is no circumstantial evidence to suggest the implication of the petitioner in the present case. The petitioner is made accused merely on the basis of suspicion.

On behalf of the State it is submitted that the petitioner is named in the FIR.

Considering the aforesaid facts, let the above named petitioner, in the event of his arrest or surrender in the court below within a period of six weeks from today, 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 learned C.J.M., Kaimur at Bhabhua in connection with Chand P.S. Case No. 112 of 2015 , subject to the conditions as laid down u/s 438(2) Cr.P.C.

(Sudhir Singh, J)

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