

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2127 of 2017

Arising Out of PS.Case No. -585 Year- 2016 Thana -ARARIA District- ARARIA

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Ashoka Sah, Son of Prmand Sah, Resident of Village- Bag Nagar, P.S.
Mahalgaw, District- Araria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Mallick

For the Opposite Party/s : Mr. Arun Kumar Singh -5

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 25-01-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner is accused in connection with Araria
P.S. Case No. 285 of 2016, registered under Section 302, 201/34
of the Indian Penal Code.

The allegation of informant Krishna Kanhiya Yadav
is that on 06.09.2016 at about 4.00 P.M. his brother Murli Yadav
had gone to see the field boarding on the motorcycle, but he did
not return till late hours. In course of search, one Prabash Yadav
disclosed that his brother was seen in the evening of 06.09.2016
with the petitioner and other four persons named in the F.I.R.
Thereafter, on the next day, the motorcycle of the deceased was
found lying near the Shiv temple and the dead body was found
lying 7 meters away to the motorcycle in the canal.



Learned counsel for the petitioner submits that except the circumstances that the petitioner and four others were seen in the evening along with the deceased, there is no material to show the involvement of the petitioner in the present case. Further submission is that co-accused Lallo @ Arbind Yadav, who is said to be seen along with the deceased has already been granted bail on 07.12.2016 passed in Criminal Miscellaneous No. 52175 of 2016 by a co-ordinate Bench of this Court. The petitioner is in custody since 08.09.2016.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Araria in connection with Araria P.S. Case No. 585 of 2016.

(Rajendra Kumar Mishra, J)

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