

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.22877 of 2017

Arising Out of PS.Case No. -88 Year- 2016 Thana -AHIAPUR District- MUZAFFARPUR

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Durgesh Kumar @ Durgesh Prasad Srivastav, son of Late Shyam Nandan Prasad, resident of Village- Rajwada, P.S.- Sahebganj, District- Muzaffarpur, presently residing at Ayachi gram, in the house of Chuchun Trivedi, P.S.- Ahiyapur, District- Muzaffarpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Nachiketa Jha, Advocate.

For the Opposite Party : Mr. Md. Sufiyan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-05-2017 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 03.04.2017 in connection with Ahiyapur P.S. Case No. 88 of 2016 for the offences instituted under Sections 304(B)/34 of the IPC.

The prosecution story, in brief, is that on 30.01.2016 at 18.18 hours, the informant was called by his brother-in-law and his brother at their residence. When he reached, his brother-in-law started making complaint and demanded Rs. 2,00,000/- and a vehicle otherwise threatened to cause death done to him. He said that the room of the informant's sister is closed since four hours back and asked the informant to open the door. When the door did not open, this petitioner being the brother-in-law (Bhaisur) of the



informant's sister broken down the glass of the door. The informant saw that his sister was lying hanging from the ceiling. Hence, the F.I.R.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 03.04.2017. There is no allegation of tampering of the witnesses alleged against the petitioner. He has got no criminal antecedent. The petitioner is the brother-in-law (Bhaisur) of the deceased. No date of marriage or the year of the marriage has been mentioned in the FIR. No specific allegation has been made against the petitioner. The other co-accused has been granted bail by another co-ordinate Bench of this Court vide Cr. Misc. No. 43340/2016 on 25.11.2016.

On behalf of the State, it has been submitted that the petitioner is 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 C.J.M., Muzaffarpur in connection with Ahiyapur P.S. Case No. 88 of 2016.

(Sudhir Singh, J)

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