

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26105 of 2017

Arising Out of PS.Case No. -12 Year- 2017 Thana -SAHAR District- BHOJPUR

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Budha Kumar Singh @ Budha Singh, son of Ardhanand Singh, resident of
Village- Ekbari, Police Station- Sahar, District- Bhojpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh, Adv.

For the Opposite Party/s : Mr. Shailendra Kumar -1, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 13-07-2017 Heard both sides.

The petitioner apprehends his arrest in Sahar P.S.
Case No. 12/2017, registered for the offences punishable under
Sections 307, 353 and other sections of the Indian Penal Code.

The informant A.S.I. Sahar P.S. alleged that he got
information that a dead-body is found in a well in village – Ekbari,
on such information, the informant and other police officials went
there, but the accused persons started pelting stones and broke the
glasses of officials vehicles.

Learned counsel for the petitioner submits that Jai
Mangal Singh lodged Sahar P.S. Case No. 11/2017 on 29.01.2017
for murder of his nephew Prince Kumar. The dead-body was
recovered in the well. The police came there and picked-up quarrel



with the villagers. It is submitted that the informant also stated that the occurrence took place on 29.01.2017 and on the same day Sahar P.S. Case No. 11/2017 was registered, but the F.I.R. of Sahar P.S. Case No. 11/2017 was sent to the court on 31.01.2017 and the F.I.R. of the present case was sent to the court on 02.02.2017. This fact itself shows the falsity of the case and it appears that no occurrence of pelting stones on the police party took place. There is no specific allegation made against the petitioner.

Considering the facts aforesaid, the petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate – X, Bhojpur, Ara in connection with Sahar P.S. Case No. 12/2017, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

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