

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.48868 of 2016

Arising Out of PS.Case No. -5 Year- 2014 Thana -SIKANDARA District- JAMUI

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Tinku Mahto @ Tinku Kumar, Son of Deo Nandan Mahto, R/o Village -
Diha, P.S. - Ariyari, District - Sheikhpura.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Chaubey Jawahar and Mr. Umesh
Prasad, Advocates.

For the Opposite Party : Mr. S.M. Rahman, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 02-03-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Sikandra P.S. Case No. 05 of 2014 for the offences instituted
under Sections 302 and 201 of the IPC.

The prosecution story, in brief, is that the Chaukidar
found a dead body of unknown person covered by sand at river on
the information given by the villagers. There was fire arm injury
on the back of dead body. Blood was also coming out from mouth
and nose of the deceased and right hand, back and face was burnt
and clothes were also in burnt condition.

It has been submitted on behalf of the petitioner that the



petitioner has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. He is not named in the F.I.R. There is no eye witness to the alleged occurrence nor there is any substantive evidence to suggest his implication in the present case. Except for suspicion, there is no other material to suggest his participation in the alleged occurrence.

On behalf of the State, it has been submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Sikandra P.S. Case No. 05/2014 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-2nd, Jamui, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

