

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18210 of 2017

Arising Out of PS.Case No. -15 Year- 2017 Thana -FALKAHA District- KATIHAR

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Fekan Sah, Son of Anandi Sah, Resident of Village- Chapanna, P.S.- Falka,
Distt- Katihar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Mandal, Adv.

For the Opposite Party/s : Mr. A.M. Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

4 21-07-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Falka P.S. Case no. 15 of 2017, registered under Sections 302 and
201/34 of the Indian Penal Code.

The allegation of informant Sudha Shankar Gupta is that
in the night of 29.01.2016, his niece, namely, Rajeshwari Gupta gave
information to him about non returning of her father. On the next day
in the morning, his niece further informed about throwing of her father
along with his motorcycle near N.H. 77 at Kabhu tola. Thereafter, he
went there and came to know that his brother Durga Shankar Gupta
has been killed and his dead body was thrown along with motorcycle
on the road. In course of search, he came to know that murder of his
brother was committed in the maize field of Basudeo Sah and Fekan
Sah (Petitioner), where blood stained and sign of pulling of dead body



was found.

Learned counsel for the petitioner submits that, in fact, due to land dispute between deceased, Basudeo Sah and petitioner this false case has been lodged. Further submission is that it is alleged in the F.I.R. that blood stained and sign of pulling the dead body was found in the field of petitioner and Basudeo Sah, but in para-06 of the case diary, it has been stated that the said land belongs to one Raj Kumar Hansda. The petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Katihar in connection with Falka P.S. Case No. 15 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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