

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.53048 of 2016**

Arising Out of PS.Case No. -11 Year- 2016 Thana -JAGDIHSPUR District- BHOJPUR

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Birendra Ray, Son of Basishth Ray, Resident of Village- Deo Chanda, P.S.  
Piro, District Bhojpur.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Bhavesh Kumar

For the Opposite Party/s : Mr. Gauri Shankar Gupta

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR**  
**MISHRA**

ORAL ORDER

3      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  
Jagdishpur P.S. Case No. 11 of 2016, registered under Sections  
302, 328 and 201/34 of the Indian Penal Code.

The allegation of informant Munni Devi is that six  
persons named in the F.I.R., including the petitioner, got  
executed the sale deed from Jitendra Rai, husband of the  
informant in drunken condition without payment of  
consideration amount. When informant and other family  
members made request to the accused person to give the  
consideration amount then her husband was threatened by them.  
Thereafter, out of fear her husband went to Surat and before  
three days from the date of occurrence, he returned to his house.



On 12.01.2016 her husband was accompanied by Bhola Singh Yadav and Shankar Rai, but he did not return to his house. Thereafter, the informant raised suspicion about committing murder of her husband by them.

Learned counsel for the petitioner submits that it would appear from the F.I.R. that on 12.01.2016, the husband of the informant was accompanied by Shankar Rai and Bhola Singh and not by this petitioner. In course of investigation, it has also come in para 49 of the case diary that the land was sold by the husband of the informant in favour of Bhola Singh Yadav, Mahesh Singh and Shankar Rai as such the petitioner has no motive having hand in the murder of the husband of the informant. The petitioner has no criminal antecedent and he is in custody since 02.08.2016.

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, Bhojpur (Ara) in connection with Jagdishpur P.S. Case No. 11 of 2016.

**(Rajendra Kumar Mishra, J)**

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