

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.275 of 2017

Arising Out of PS.Case No. -236 Year- 2014 Thana -SALKHUA District- SAHARSA

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Babloo Kumar, Son of Rajendra Yadav, resident of Village-Utesra P.S.
Salkhua District Saharsa.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Paras Nath, Advocate.

For the Opposite Party : Mr. Md. Ashlam Ansari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-01-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Salkhua P.S. Case No. 236 of 2014 for the offences instituted
under Sections 302 and 201/34 of the IPC.

The prosecution story, in brief, is that on 02.11.2014 at
10.00 A.M., the son of the informant accompanied the petitioner
but he did not return. On query made from the mother of the
petitioner, she offered Rs. 1,00,000/- to keep mum. The informant
suspected that her son was murdered and it is alleged that on
18.11.2014 accused persons left the place leaving their mobile
phones. She suspected that all the accused persons after making
conspiracy murdered her son.



It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The alleged date of occurrence is 02.11.2014. The case has been instituted on 20.11.2014. The delay has not been explained by the prosecution. Subsequently, vide Annexure-2 to the present application, the informant has filed a petition stating that the case has been instituted due to mistake of fact. The other co-accused has been granted bail by another co-ordinate Bench of this Court vide Cr. Misc. No. 39079/2016.

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 in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Salkhua P.S. Case No. 236/2014 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Judge-III, Saharsa, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)