

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44774 of 2016

Arising Out of PS.Case No. -387 Year- 2015 Thana -BIHAR District- NALANDA
(BIHARSHARIFF)

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Jhunnu Paswan, S/o Rambriksh Paswan, Resident of Village- Ramjee Chak,
Police Station- Bihar, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad, Advocate.

For the Opposite Party/s : Mr. Madan Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3 10-03-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Bihar P.S.

Case No. 387 of 2015 instituted for the offence under Sections
302 and 201/34 of the Indian Penal Code.

It is alleged in the written report that the son of the informant Shakan Manjhi (since deceased) had gone to search the grand daughter of the informant Santoor Kumari to the houses of Jhunnu Paswan (petitioner) and Mango Paswan. The son of the informant did not return till 10:00 p.m. in the night. Thereafter, the informant made search but he did not find his son and slept in the night. The informant on the next day at 8:00 a.m. heard hulla that one dead body is lying near the river. The informant went there and found the headless dead body of the son lying in a ditch. He also found beheaded head of his son at the distance of 200 yards south of the ditch. The informant raised suspicion

against the petitioner and other accused persons that they killed his son.

Case diary has been received in this case.

The learned A.P.P. after referring various paragraphs of the case diary has submitted that during investigation, some suspicion has been raised against the petitioner.

From the impugned order it also appears that besides suspicion, there is no any substantial evidence against the petitioner in the case diary. It is mentioned in paragraph-3 of the bail petition that the petitioner has no criminal antecedent.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Bihar P.S. Case No. 387 of 2015, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Bihar Sharif, subject to the conditions as laid down under Section 438 (2) Cr. P.C.

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(Sanjay Priya, J)

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