

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7859 of 2017

Arising Out of PS.Case No. -6 Year- 2016 Thana - MUFFASIL (DHANAUTI) District- SIWAN

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Binod Singh, son of Baidyanath Singh, Resident of Village- Majirwan Kala
P.S. Fulwaria, District Gopalganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Ranjan Prasad Singh,
Advocate.

For the Opposite Party/s : Mr. Ahmad Ali, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 23-03-2017 Heard learned counsel for the petitioner, learned
counsel for the informant and the State.

The petitioner seeks bail in Mofasil (Dhanauti) P.S.
Case No. 06 of 2016 instituted for the offence under Sections
302/34 of the Indian Penal Code.

It has been submitted that the petitioner is Dewar of
the deceased. He is in custody since 9.12.2016. His name has
come in further statement of the informant made in paragraph 32
of the case diary during investigation.

Learned A.P.P. and counsel for the informant have
opposed the prayer for anticipatory bail.

Case diary has been received.

Learned A.P.P. after looking into the case diary has



submitted that in paragraph-41, the CDR of mobile has come wherein it is mentioned that the petitioner has talked with the deceased. It is alleged in the written report that one dead-body was found which was later on identified to be of the daughter of the informant. The petitioner is not named in the written report.

From the impugned order it appears that the informant in paragraph-32 has taken the name of the petitioner. The police has stated in paragraph-31 of the case diary on the basis of CDR that the petitioner has talked with the deceased on her mobile, but it is admitted fact that the petitioner is Dewar of deceased and, therefore, it does not create a doubt on account of talk between them. The petitioner is in custody since 9.12.2016.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named, be released on 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, Siwan, in connection with Mofasil (Dhanauti) P.S. Case No. 06 of 2016, subject to the condition that both the bailors will be the close relatives of the petitioner.

(Sanjay Priya, J)

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