

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3713 of 2017

Arising Out of PS.Case No. -298 Year- 2016 Thana -BARARI District- KATIHAR

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Arvind Pandit @ Arbind Pandit, son of Late Jattu @ Kamleshwari Pandit,
resident of village- Sujapur, P.S. - Barari, District - Katihar.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Mr. Nityanand Tiwary

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 09-02-2017 Heard learned counsel for the petitioner and the learned
counsel for the State.

The petitioner seeks bail in a case instituted for the
offence under Sections 302/34 and 120(B) of the Indian Penal
Code.

It has been submitted on behalf of the petitioner that
there is no eyewitness in this case. He has been made accused
merely on the basis of suspicion.

As per written report, the brother of the informant went
for tuition but he did not return till evening. The informant found
the dead body in the maize field of Md. Taslim, whose neck was
throttled. It is further alleged that there was love affair between
Tanuja Kumari, the daughter of co-accused namely Akshay Lal



Yadav and the deceased. The informant has further alleged that there was land dispute between this petitioner and the deceased. He has raised suspicion against this petitioner and other accused persons in murder of his brother.

In this manner, from written report itself, it appears that mere suspicion has been raised against this petitioner. From the order of the Sessions Judge, Katihar, it also appears that there is no eyewitness to the alleged occurrence. The learned Sessions Judge has mentioned in the impugned order that there is a strong circumstances against this petitioner.

Considering the aforesaid facts and circumstances of the case, 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 Additional Chief Judicial Magistrate-V, Katihar in connection with Barari P.S. Case No. 298 of 2016.

(Sanjay Priya, J)

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