

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.33118 of 2017

Arising Out of PS.Case No. -92 Year- 2016 Thana -BOCHHA District- MUZAFFARPUR

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Rajiv Kumar Son of Sri Jogendra Chaudhary, Resident of Vilage-
Adigopalpur, P.S.- Bochahan, District- Muzaffarpur.

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..... Petitioner

Versus

The State of Bihar

..... Opposite Party

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Appearance :

For the Petitioner : Mr. P.K. Shahi, Sr. Advocate and Mr.
Vipin Kumar, Advocate.

For the Opposite Party : Mr. Parmeshwar Mehta, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 20-09-2017 Heard learned senior counsel for the petitioner and
learned counsel for the State.

The petitioner is languishing in custody since
07.07.2016 in a case for the offence registered under Sections
304(B)/34 of the IPC.

The prosecution story, in brief, is that the accused
persons including the petitioner committed murder of the daughter
of the informant by pressing her neck.

Earlier bail application of the petitioner was rejected
vide Cr. Misc. No. 50974 of 2016 dated 15.12.2016 with an



observation “at this stage” taking into account that the number of witnesses in course of investigation have not supported the prosecution case.

A report was called for from the court below regarding the stage of the case. It has been reported that the charge has been framed.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 07.07.2016. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The number of witnesses in course of investigation in paragraph nos. 9, 13, 16, 33, 44, 65 of the main case diary and in paragraph nos. 8 and 9 of the supplementary case diary, have not supported the allegation made in the F.I.R.

On behalf of the learned counsels for the State and the informant, 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 on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned 11th Additional Sessions Judge, Muzaffarpur in connection with Sessions Trial



No. 149 of 2017, arising out of Bochahan P.S. Case No. 92 of 2016.

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(Sudhir Singh, J)

