

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19222 of 2017

Arising Out of PS.Case No. -158 Year- 2016 Thana -MAHNAR District- VAISHALI(HAJIPUR)

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Hemant Poddar, son of Raju Poddar, Resident of Village - Lawapur, Police
Station - Mahnar, District - Vaishali.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Shyamal Prakash, Advocate

For the Opposite Party : Smt. Asha Devi (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 03-07-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner apprehends his arrest in connection
with Mahnar P.S. Case No. 158 of 2016, registered for the
offences punishable under Sections 302/201/34 of the Indian Penal
Code.

Allegedly, Shivam Kumar the son of the informant
was found dead hanging in *busbutti* and 20 days ago the petitioner
and other co-accused have come at the door of the informant and
were searching Shivam Kumar to kill him and further they were
abusing and thereafter the son of the informant fled away from the
house and then his dead body was found.

Submission is of false implication and that the



petitioner is the *gotia* of the informant, due to suspicion he has been implicated, the son of the informant was traceless for last 20 days but no *Sanha* or information was lodged to anywhere and thereafter his dead body was recovered, it reveals that the son of the informant has committed suicide himself and the petitioner has been implicated and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of pre-arrest bail.

In the facts and circumstances as stated above, considering that against the petitioner there is no legal and cogent material besides suspicion and, as such, the petitioner in the event of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall 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 VIth Additional Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Mahnar P.S. Case No. 158 of 2016, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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