

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60682 of 2017

Arising Out of PS.Case No. -55 Year- 2017 Thana -PARSAUNI District- SITAMARHI

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1. Rashid @ Gore @ Md. Rashid Raza S/o Md. Naseem Akhtar @
Lalbabu, R/o Village- Dhurwar, P.S.- Parsauni, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vikram deo Singh
Mr. Madhubala Verma

For the Informant : Mr. Anil Chandra

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 18-01-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 04.08.2017 in
connection Parsauni P.S. Case No. 55/2017 registered for the
offences punishable under Sections 302/201/34 of the Indian Penal
Code.

Learned counsel for the petitioner submits that save
and except the fact of “last seen” having been alleged against the
petitioner, there is no further material in the case diary to implicate
him in connection with the occurrence as has been detailed in the
First Information Report.

Learned counsel appearing on behalf of the
informant, however, submits that the petitioner as well as one



other person had come to the house of the petitioner and taken him away on the motorcycle along with three other unknown persons. Thereafter, the dead-body of the son of the informant was recovered the following day and it can be concluded that the petitioner along with the other co-accused had taken him away and had killed him.

Learned counsel for the State after perusal of the case diary submits that save and except the statement of the informant regarding the issue of “last seen” with the deceased, there is no other material in the case diary to support the allegation of the informant.

Having considered all the facts and circumstances of the case and taking into consideration that the petitioner has got no criminal antecedent and has been languishing in jail for almost six months, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi, in connection with Parsauni P.S. Case No. 55/17.

(Anjana Mishra, J)

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