

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.57357 of 2018

Arising Out of PS.Case No. -23 Year- 2018 Thana -SANDESH District- BHOJPUR

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Priya Ranjan Choudhary, S/o Bekha Choudhary, R/o Vill.- Jamuan, P.S.- Sandesh, District- Bhojpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Anil Kumar Singh, Advocate.

For the Opposite Party : Mr. Arbind Kumar Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 17-09-2018 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 302 and 120(B)/34 of the IPC.

The prosecution story, in brief, is that Raju Khan @ Ganauri Khan, son of the informant, went to see *Laxminarayan Yagyashala* but he did not return. Thereafter, dead body of son of the informant was found near the house of Baleshwar Sao.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. The name of the petitioner has come in the present case on the petition filed by



the informant before the Superintendent of Police. The said petition was filed by the informant after a period of two months. In the said petition, the informant had suspected the hand of the petitioner. Except for suspicion, there is no substantive evidence to suggest the implication of the petitioner in the present case. There is no eye witness to the alleged occurrence nor there is circumstantial evidence to suggest the implication of the petitioner in the present case.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory 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 A.C.J.M.-9, Bhojpur, Ara, in connection with Sandesh P.S. Case No. 23 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)