

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75725 of 2018

Arising Out of PS. Case No.-121 Year-2014 Thana- PALIGANJ District- Patna

Manoj Ram, S/o Sharma Ram, Resident of Village-Akbarpur, P.S. Paliganj,
Distt.-Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party : Mr. Sri Jai Narain Thakur, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-12-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

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

The prosecution story, in brief, is that on 29.05.2014
at about 2.00 P.M. when the informant's father had gone outside
the house with Gopi Bind, Shailendra Ram and Manoj
Ram(petitioner) but he did not return in the night. In the
morning, at 5.30 A.M. on hulla, he knew that his father's dead
body was lying adjacent *Peepal Tree* near *Lakh More*. He went
there and found his father's dead body in pool of blood. Police
arrived there. It is alleged that all the three above named
accused persons had murdered his father.

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 has falsely been implicated in the present case. It is a case of last seen. There is no eye witness to the alleged occurrence. There is no other substantive evidence to suggest the implication of the petitioner in the present case. It is alleged that prior to occurrence, the deceased had left his house alongwith the petitioner and other co-accused persons. Thereafter on the next day, his dead body was found.

On behalf of the learned counsel for the State, 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, 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 S.D.J.M. Danapur, in connection with Paliganj P.S. Case No. 121 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

(Sudhir Singh, J)

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