

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16114 of 2018

Arising Out of PS.Case No. -141 Year- 2016 Thana -
MASAURHI District- PATNA

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Vijay Ram, son of Nandu Ram, resident of Village-Chapaur,
P.S.-Masaurhi, District-Patna

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satrudhan Kumar

For the Opposite Party/s : Mr. Dr. Ajeet Kumar

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 09-04-2018 The petitioner seeks bail in anticipation of his arrest in connection with Masaurhi P.S. Case No. 141 of 2016 dated 09.04.2016 instituted for the offence under Sections 302/34 of the Indian Penal Code.

The learned counsel for the petitioner has submitted that he has been named in the F.I.R only on the basis of suspicion.

The father of the informant was found dead in the village. Later, the informant came to learn from others that because of his father having entered into a temple for worship, the petitioner and three others had tied him to a tree and assaulted, leading to his death.

One of the co-accused persons, it has been argued, with similar allegation by way of suspicion, has been granted anticipatory bail by a co-ordinate Bench of this Court vide



order dated 08.04.2017 passed in Cr. Misc. No. 8253 of 2017.

From the perusal of the order referred to above, it appears that the Bench, while granting anticipatory bail to the co-accused had gone through the case diary and had found that there was no eye witness to the occurrence and only on the basis of suspicion, they were made accused.

The learned counsel for the petitioner has submitted that nowhere has the informant stated the name of the person who informed that the petitioner and others had assaulted the deceased leading to his death.

Considering the aforesaid facts as also taking into account that petitioner has not been made accused in any other case so far, the petitioner, above named, in the event of his arrest or surrender before learned Court below within a period of four weeks from today, is directed be released on bail on his furnishing bail bonds of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Masaurhi in connection with Masaurhi P.S. Case No. 141 of 2016.

(Ashutosh Kumar, J)

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