

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7465 of 2018

Arising Out of PS.Case No. -66 Year- 2017 Thana -TATARPUR District- BHAGALPUR

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1. Brajbhushan Kumar, son of Lochan Mandal, resident of Village-
Kishanpur, P.S.- Akbarnagar, District- Bhagalpur Petitioner/s
Versus

1. The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhay Kumar, Adv

For the Opposite Party/s : Mr. Smt. Sucheta Yadav, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

5 08-05-2018 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner seeks bail in a case registered for
the offences punishable under Sections 302, 201 and 120(B)
of the Indian Penal Code.

The FIR of the occurrence of murder of the
daughter of informant is against unknown. It is disclosed in
the FIR that murder was committed by committing assault
with bricks and bitterly crushing the parts of the body of the
victim.

Learned counsel for the petitioner submits
that the petitioner is in custody since 05.05.2017. There is
no eye witness of the occurrence. Petitioner has got no
criminal antecedent. Only material is suspicion.

Learned counsel for the informant opposed
the prayer for bail on the ground that the petitioner



confessed before the police that he had love affairs with the victim and some dispute cropped up between the two as a result whereof, the petitioner committed murder of the victim. He further submits that bloodstained cloths of the petitioner was recovered on the disclosure of the petitioner. Further contention is that during investigation it has revealed, on the basis of C.D.R. of the mobile phone of the victim, that the petitioner was in talking term with the victim. Hence, strong circumstantial evidence is there, pointing out involvement of the petitioner only in the commission of crime alleged.

Considering the fact that only material is suspicion, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with S.Tr. No.754 of 2017 arising out of Tatarpur Police Station Case No.66 of 2017, subject to the condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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