

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.45870 of 2018

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Rakesh Rai, Son of Late Bhola Rai, resident of Village- Nawachak, P.S. Sarairanjan, District- Samastipur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : M/S. Anshu Dhar Sharma and Thakur
Bikram Singh, Advocates,

For the Opposite Party : Smt. Anusuiya Jaiswal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 13-09-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since 23.02.2018 in a case for the offence registered under Section 302 of the IPC.

The prosecution story, in brief, is that the petitioner committed murder of his son of the age of six months.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The trial has already commenced. The victim has been examined where she has retracted from her earlier version. The



post mortem report does not support the allegation made in the F.I.R. The cause of death is said to be due to ‘liver and lungs pathology leading to cardio respiratory failure’.

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, 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 Sessions Judge, Samastipur, in connection with Sessions Trial No. 220 of 2018, arising out of Sarairanjan P.S. Case No. 14/18.

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(Sudhir Singh, J)

