

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5101 of 2018

Arising Out of PS.Case No. -20 Year- 2017 Thana -VIDYAPATINAGAR District- SAMASTIPUR

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1. Bhubneshwar Rai, Son of Late Shaukhi Rai, Resident of Village-
Bhudhauna Tanga, P.S. Vidyapatinar, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar Singh

For the Informant : Mr. Dilip Kumar Roy

For the State : Ms. Gulnar Begum, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 19-02-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner has been in custody since 08.11.2017
in connection with Vidyapatinar P.S. Case No. 20 of 2017
registered for the offences punishable under Sections 341/323/328/
302 and 120(B) of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner has been taken into custody only on suspicion and only
because there was a land dispute existed between the parties, the
informant of the present case has roped in the present petitioner.

Learned counsel for the petitioner further submits that
admittedly, from the place where the body was found, a bottle of
celphos was also found near it.

Diary in the present case was called for and has been



received.

Learned counsel for the informant submits that the report from the Forensic Science Laboratory indicates consumption of celphos and stands justified in the case diary also. He further submits that admittedly there was no eye-witness to the case and it is suspected that the petitioner may have had a role.

Learned Additional Public Prosecutor affirms that there is no further material in the case diary.

Considering the entire facts and circumstances of the case and that which has emerged from the case dairy, 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 A.C.J.M., Dalsingsarai, Samastipur, in connection with Vidyapatnagar P.S. Case No. 20 of 2017, subject to the following conditions:-

- (1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.
- (2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.
- (3) The petitioner shall remain physically present in court on each and every date during trial and in the event of



failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

- (4) The petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjana Mishra, J)

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