

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51501 of 2018

Arising Out of PS.Case No. -80 Year- 2017 Thana -VISHNUPAD District- GAYA

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Shambhu Nath Verma @ Shambhu Lal, S/o Late Ishwar Lal Verma, R/o Village/Mohallah- Ghughritand, Mali Bagaicha, P.S.- Bishnupad, District- Gaya.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ashutosh Singh, Advocate.

For the Opposite Party : Mr. Ashok Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 27-09-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 302, 201 and 120(B)/34 of the IPC.

The prosecution story, in brief, is that on 09.04.2017, the husband of the informant went for treatment but he did not return. On next day, dead body of her husband was found. She alleged that there was a dispute existing in between her husband and his uncle Shambhu Nath Verma (petitioner), his son Chandan Kumar (co-accused) over a passage for house, therefore, her husband has been killed by the FIR named accused persons.



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. There is no eye witness to the alleged occurrence. The name of the petitioner has inspired in the present case merely on the basis of suspicion. Except for suspicion, there is no substantive evidence to suggest the implication of the petitioner in the present case nor there is any circumstantial evidence to suggest the involvement of the petitioner in the present case.

On behalf of the State, it is 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 C.J.M. Gaya, in connection with Vishnupad P.S. Case No. 80/2017, G.R. No. 2095 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

