

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65842 of 2018

Arising Out of PS. Case No.-68 Year-2018 Thana- RAJEPUR District- East Champaran

Mithilesh Singh @ Mithlesh Singh, Son of Late Dharidhhan Singh, Resident of Village- Kadma, P.S.- Rajepur, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Mishra
For the Opposite Party/s : Mr.Sri Ganesh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

3 20-12-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner apprehends his arrest in connection with Rajepur P.S. Case No. 68 of 2018, registered under Sections 302/120B/34 of the Indian Penal Code.

On telephonic call made by Chandan Singh, husband of the informant is said to have gone to house of Chandan Singh at 9 P.M. but he did not return to his house. Thereafter, informant along with her father-in-law rushed to the door of Chandan Singh and found eleven persons including the petitioner sitting at the door of Chandan Singh, armed with weapons. On quizzing about her husband, they divulged that he had left the place along with Chandan Singh half an hour earlier,



but after returning to her house, she did not found her husband. In the next morning, his dead body was found in the field. Informant has alleged that all the accused persons, named in the FIR, have eliminated her husband by hatching conspiracy.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. There is general and omnibus allegation against the petitioner and there is no eye witness of the presence of the petitioner with the deceased or commission of any occurrence by the petitioner. There is no cogent evidence indicating the involvement of the petitioner in the occurrence. He has no criminal antecedent.

In the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari in connection with Rajepur P.S. Case No. 68 of 2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

sushma/-

U		T	
---	--	---	--

