

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21805 of 2018

Arising Out of PS.Case No. -208 Year- 2017 Thana -BELHAR District- BANKA

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1. Horil Yadav Son of Madan Yadav resident of Village - Fulahara, P.S. - Belhar, District - Banka.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Prasad

For the Opposite Party/s : Mr. Satya Nand Shukla

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 10-05-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner has been in custody since 09.11.2017 in connection with Belhar P.S. Case No. 208 of 2017 registered for the offences punishable under Sections 302/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that admittedly, no one has seen the occurrence and the informant has reached after the deceased was already injured and carried out from the river by the petitioner and one Manager Yadav. It is further submitted that save and except suspicion, there is no further material in the case diary and all other witnesses who have come forth to make statement before the police are merely



supporting the prosecution case as made out by the informant but have come to the place of occurrence much later.

Diary in the present case was called for which has since been received.

After perusing the case diary, learned counsel for the State submits that save and except the materials as pointed out, there is no further cogent material in the case diary and the statements made in paragraph No. 12 and 41 appear to be hear-say.

In view of the aforementioned 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 Chief Judicial Magistrate, Banka, in connection with Belhar P.S. Case No. 208 of 2017.

(Anjana Mishra, J)

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