

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4750 of 2019

Arising Out of PS. Case No.-295 Year-2018 Thana- HILSA District- Nalanda

Devendranath Dwivedy @ Devendra Diwavedi (Male), aged about 55 years,
Son of Purushottam Dwivedy, Resident of Village-Arpa, Ward No. 7, P.S.-
Hilsa, District-Nalanda

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar

For the Opposite Party/s : Mr.Nand Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
22.06.2018 in a case registered for the offences punishable
under Sections 302 and 201/34 of the Indian Penal Code.

The prosecution case as per the fardbeyan of
Chaukidar Raj Kumar Paswan recorded by A.S.I., Raj Kumar
Yadav of Hilsa P.S. on 04.06.2018 at 6.15 A.M. is to the effect
that on 04.06.2018, from the villagers the informant came to
know that a dead body is lying near the road with ligature mark
on the neck. The informant reached at the spot and found the
dead body of 30 years old man with bleeding injury from the
back of the head. The informant suspected that the victim was
murdered at a different place and to conceal the evidence, dead



body was thrown near the road. Subsequently, the FIR was lodged against unknown, but during investigation on the confession of co-accused Vikash Kumar, the name of the petitioner sprang up.

It is submitted by learned counsel for the petitioner that apart from the confession of the co-accused not even single material has been collected against the petitioner during investigation and similarly situated co-accused Khurshid Alam has been granted bail by a co-ordinate Bench of this Court vide order dated 09.10.2018 passed in Cr. Misc. No. 58245 of 2018. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the name of the petitioner sprang up during investigation and the petitioner has also made confession.

Considering the accusation based on circumstantial nature of accusation and the investigation has already been concluded, coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on bail, on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Ist



Additional Sessions Judge, Hilsa, Nalanda in connection with
Sessions Trial No. 583 of 2018, arising out of Hilsa P.S. Case
No. 295 of 2018.

(Dinesh Kumar Singh, J)

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