

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2700 of 2019

Arising Out of PS. Case No.-108 Year-2017 Thana- VAISHALI District- Vaishali

SHYAM SHAH @ SHYAM KUMAR SHAH son of late Ram Briksh Shah
Resident of Village- Purani Durga Asthan Damodarpur, P.S.- Kanti, District-
Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jharkhandi Upadhyay
For the Opposite Party/s : Mr. Shabbir Ahmad

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 07-02-2019 Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in Vaishali P. S. Case No.
108/ 2017 instituted for the offence under Section(s) 147, 148,
149, 302, 120(B) of the Indian Penal Code and Section 30(A) of
the Excise Act, 2016.

Learned counsel for petitioner submits that petitioner
has no criminal antecedent. He has been arrested by the police
merely on suspicion.

In the written report, it is alleged that son of the
informant has gone to Muzaffarpur to purchase some articles for
the engagement of his friend, namely, Vikash Kumar and he did
not return. The informant got information that he has been
assaulted on the Verandah of Jag Lal Sah. The informant went to
Verandah of Jag Lal Sah and found his son lying in pool of blood.



The informant has raised suspicion that petitioner along with other accused persons might have killed his son.

Case diary has been received in the instant case.

Learned counsel for the State has submitted that independent witness in paragraph no. 122 of the case diary has taken the name of this petitioner as having learnt that this petitioner has caused death of son of informant. Thereafter, police recorded confessional statement of the petitioner in para 42 of the case diary.

In such circumstances, from the material in the case diary, it appears that mere suspicion has been raised against the petitioner.

The petitioner is in custody since 3.5. 2017.

Considering the aforesaid, let the petitioner, above named, 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 the Spl. Judge-II, Addl. Sessions Judge, Vaishali at Hazipur in connection with Vaishali P. S. Case No. 108/ 2017 subject to the condition that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J)

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