

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17331 of 2019**

Arising Out of PS. Case No.-181 Year-2018 Thana- BAKHARI District- Begusarai

PANCHU RAI @ Panchu Ran Son of Jugeshwar Rai Resident of Village
-Darha hari Singh

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar

For the Opposite Party/s : Mrs.Shaheen Begum

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

2 27-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since 17.12.2018 in a case registered for the offences punishable under Sections 324, 302, 201/34 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case got initiated on the basis of written report of Rakhi Devi submitted before the Station House Officer, Bakhri Police Station is to the effect that the informant came to know about a dead body kept in the police station when the informant went to police station, she came to know that the dead body has been sent to the Begusarai hospital for postmortem, when the informant went in the Begusarai hospital, she found the dead body of his son Bittu



Kumar with two firearm injuries and several knife blows. Hence, she raised suspicion against seven FIR named accused persons, including, the petitioner since they used to give life threat to his son in the background of land dispute.

It is submitted by learned counsel for the petitioner that only on the basis of suspicion, the accusation has been levelled against the petitioner and admittedly, the informant is not the eye witness to the alleged occurrence. During investigation, the account of eye witness has not been collected, which gets reflected from the impugned order and the investigation has already been concluded. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned counsel for the informant submits that though there is no eye witness to the occurrence, but it is true that the accused persons, including the petitioner used to give life threatening to the informant's son prior to the occurrence. It is further submitted that during investigation, other circumstantial evidence has been collected which suggests the complicity of the petitioner in the alleged offence.

Considering the suspicious nature of accusation, investigation already being concluded coupled with statement



made in paragraph no.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 ACJM-V, Begusarai in connection with Bakhri P.S. Case No. 181 of 2018.

(Dinesh Kumar Singh, J)

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