

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20298 of 2019

Arising Out of PS. Case No.-41 Year-2017 Thana- RAJGIR District- Nalanda

Sunil Rajbanshi Son of Sita Ram Rajbanshi Resident of Village - Thakur
Asthan Rajgir, P.S.- Rajgir, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

6 09-08-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under
Sections 302/34 of the Indian Penal Code and 27 of the Arms
Act.

Prosecution case, in short, is that on the alleged date
of occurrence the brother of the informant came after his work
and went to forest to bring wood, but till evening he has not
returned. Then the informant along with his family members
searched him, but not traced out in the village. Thereafter the
informant went to search towards forest and the informant
identified his brother by torch near nala and saw that blood was
oozing from chick. The informant suspected that the F.I.R.
named accused persons have killed his brother.



It has been submitted on behalf of the petitioner that the petitioner is in custody since 17.11.2018. Charge sheet has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. The name of the petitioner has transpired merely on the basis of suspicion. Except for suspicion, there is no substantive evidence to suggest his implication in the present case. There is no eye witness to the alleged occurrence nor there is any circumstantial evidence to suggest the participation of the petitioner in the present case.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid 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 learned Additional Chief Judicial Magistrate IV, Biharsharif, Nalanda in connection with Rajgir P.S. case No.41 of 2017.

(Sudhir Singh, J)

Narendra/-

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