

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80277 of 2018

Arising Out of PS. Case No.-69 Year-2018 Thana- GWALPARA District- Madhepura

Suraj Kumar, son of Sajen @ Rajendra Yadav, Resident of Village - Tulsia,
Police Station - Bihariganj, Distt.- Madhepura.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr.Syed Masleh-Uddin Ashraf, Advocate.
For the State	:	Mr. Gauri Shankar Gupta, A.P.P.
For the Informant	:	M/S. Dhananjay Kumar Gupta and Rajiv Ranjan, Advocates.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 11-04-2019 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

The petitioner is languishing in custody since
22.05.2018 in a case for the offence registered under Section
302 of the IPC.

The prosecution story, in brief, is that at about 3.00
P.M. on 30.04.2018, the informant got an information that a
dead-body is lying in the bank of Sursar river under Rakiya
Village. Very shortly, he apprised such information to local
police station and he went there and saw the crowd of people
and dead-body brought out from river-water, which seemed to
be committed murder of that person two days prior by pressing
the neck and would throw in alleged river with a view to



conceal the dead-body.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner is not named in the F.I.R. His name has come on the basis of confessional statement made by him before the police. The said confession made before the police has no evidential value. There is no eye witness to the alleged occurrence nor there is any circumstantial evidence to suggest the involvement of the petitioner in the present case. Other co-accused has been granted bail by another Co-ordinate Bench of this Court vide Cr. Misc. No. 55879 of 2018 order dated 10.10.2018, vide Annexure-2 to the present application.

On behalf of the learned counsels for the State and the informant, it has been submitted that the petitioner is not 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 the learned J.M. Ist



Class, Udakishunganj, Madhepura, in connection with Gwalpara
(Arar O.P.) P.S. Case No. 69 of 2018.

(Sudhir Singh, J)

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