

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27081 of 2019

Arising Out of PS. Case No.-129 Year-2018 Thana- GAUNAHA District- West Champaran

SANTOSH FAUZDAR @ SANTOSH FAUDAR, aged about 37 years, Male,
S/o Gorakh Fauzdar @ Gorakh Faudar Resident of Village- Murli
Manjhariya, P.S.- Gaunaha, District- West Champaran.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Sanjeev Kumar, Advocate.

For the Opposite Party : Mr.Mukesh Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 25-04-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since
23.11.2018 in a case for the offence registered under Sections
302, 376, 120(B)/34 of the IPC and 4/6 of POCSO Act.

The prosecution story, in brief, is that on 15.11.2018
at about 7.30 A.M. in the morning, the grand-daughter of the
informant aged about 17 years, went for call for nature but she
did not return. On search, her dead body was found in the
sugarcane field. It is further alleged that F.I.R. named accused
persons used to give threatening to the informant to perform
marriage of his grand-daughter in their family otherwise they
will kill his grand-daughter.

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 name of the petitioner has come in the present case merely on the basis of suspicion. Except for suspicion, there is no substantive evidence to suggest the implication of the petitioner 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 learned counsel for the State, it has been 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 the learned 1st Additional Sessions Judge-cum-Special Judge, Bettiah, West Champaran, in connection with Gaunaha P.S. Case No. 129 of 2018.

(Sudhir Singh, J)

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