

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44787 of 2019

Arising Out of PS. Case No.-257 Year-2018 Thana- SHAHKUND District- Bhagalpur

BRAJESH SINGH, aged about 42 years, Male, Son of Surendra Prasad Singh, Resident of Village-Dariyapur, P.S.- Shahkund (Sajour), Dist.- Bhagalpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Ashutosh Kumar, Advocate.

For the Opposite Party : Mr.Amitesh Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 06-09-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since 10.12.2018 in a case for the offence registered under Sections 302, 201 and 120(B)/34 of the IPC.

The prosecution story, in brief, is that on 07.12.2018 at around 8.00 P.M., the informant received information that his brother-in-law Nishikant is murdered by cutting his neck and his dead body was hidden behind the bushes at Balua Bahiyar. In due course, C.C.T.V. footage was seen and after enquiry, it was revealed that the F.I.R. named accused persons in conspiracy with each other had killed informant's brother-in-law and hidden his 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. There is an admitted land dispute between the parties. There is no eye witness to the alleged occurrence. Except for suspicion, there is no other substantive evidence to suggest the implication 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 S.D.J.M. Bhagalpur, in connection with Shahkund (Sajour) P.S. Case No. 257 of 2018.

(Sudhir Singh, J)

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