

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61631 of 2018

Arising Out of PS. Case No.-535 Year-2017 Thana- LAHERIMUHALLA District- Nalanda

Niranjan Sao @ Niranjan Kumar Son of Brijnandan Sao @ Brijnandan Prasad, Resident of Village/Mohalla- Amber, P.S.- Bihar, District- Nalanda.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar, Adv.

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

3 17-01-2019 Heard learned counsels for the petitioners and learned APP.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 302/120B of the IPC.

The prosecution case, as per the written report of Akhilesh Kumar submitted to the Station House Officer, Laheri Police Station, to the effect that the petition is owner of the truck on which the son of the informant Manish Kumar was working as a driver and Manish Kumar fell in love with the wife of the petitioner. As a result, he was terminated from the job. Subsequently, he was again reemployed by the petitioner. On



23.12.2017 at 6.30 A.M., when the informant went to sell vegetables, he found the truck of the petitioner parked and 10-15 people having surrounded the truck and, when he reached near the truck he found the dead body of his son inside the cabin of the truck, with signs of assault. It was suspected that since the son of the informant had illicit relationship with the wife of the petitioner, hence his son has been killed by the petitioner.

It is submitted by learned counsel for the petitioner that the accusation is based on suspicion. There is no eye witness to the occurrence. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP after going through the case diary submits that the witnesses have raised suspicion against the petitioner, but no eye witness come forward to depose the investigation.

Considering the nature of accusation based on mere suspicion, coupled with the statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of



learned CJM, Nalanda at Bihar Sharif, in connection with
Laheri P.S. Case No.535 of 2017, subject to the condition as laid
down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Ashwini/-

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