

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40956 of 2019

Arising Out of PS. Case No.-25 Year-2018 Thana- MARANCHI District- Patna

Nikhil Kumar, Son of Munna Singh Resident of Village- Panch Mahala, P.S.-
Maranchi, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Arun Kumar

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 04-07-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Maranchi P.S. Case no. 25 of 2018, registered under
Section 302/34 of the Indian Penal Code.

The accusation is that Mukesh Kumar, younger
brother of the informant Nago Singh on receiving call moved
from the house in the evening of 18.03.2018, but he did not
return in the late night and in the mid night informant received
information from the Police that Mukesh Kumar is lying dead
beside the animal hospital, when the informant along with his
other family members reached there then saw his brother was
lying there dead.

Learned counsel for the petitioner submits that on



the basis of written report of informant, the present case was lodged against unknown. In course of investigation, it was detected that SIM from which the call was received on the mobile of deceased is of Niwas Prasad, who disclosed that he had given his mobile with SIM to the petitioner. Further submission is that petitioner, who is a student has falsely been implicated in this case along with his brother and father on the pretext that his brother and father also used the same mobile, but the mobile and SIM has not been recovered from the possession of the petitioner.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate-IV, Barh, Patna in connection with Maranchi P.S. Case No. 25 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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