

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75655 of 2018

Arising Out of PS. Case No.-316 Year-2012 Thana- BARHARIA District- Siwan

Hiraman Giri, Son of Late Raj Balam Giri, Resident of Village- Majhawalia,
Police Station- Majhagarh, District- Gopalganj.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh, Adv.

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

3 24-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since 25.07.2018 in a case registered for the offence punishable under Sections 302,201,379 and 406/34 of the Indian Penal Code.

The prosecution case got initiated on the Fardbeyan of Shankar Manjhi, Chaukidar Barharia Police Station recorded by S.I. R.P. Singh of Barharia Police Station on 08.11.2012 at 8.50 A.M. at Bhalua Nahar to the effect that in the morning, after having received information to the effect that a dead body was lying under the bridge near a canal, the informant reached at the spot and found the dead body of an



unknown person. The dead body could not be identified. During investigation, the victim was identified as Chhote Lal Kushwaha by his brother Parash Kushwaha who alleged that one day prior to the occurrence, i.e. on 07.11.2012, one co-villager Ram Pravesh Prasad along with one unknown person came and hired the vehicle of the victim whereafter, the victim went along with his vehicle, but the victim did not return. During investigation, it appears that Ram Pravesh Prasad used to address the unknown person as Pandit and it was suspected that the petitioner was the said Pandit.

It is submitted by learned counsel for the petitioner that no direct evidence has been collected against the petitioner during investigation, but merely on the basis of suspicion the petitioner has been roped in the present case. However, the investigation has already been concluded.

Learned APP for the State submits that petitioner's name sprang up during investigation as a person who hired the vehicle of the victim one day prior to the occurrence.

Considering the suspicious nature of accusation and the investigation being concluded, let the above named petitioner be released on bail, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like



amount each to the satisfaction of learned CJM, Siwan, in
connection with Barharia P.S. Case No.316 of 2012.

(Dinesh Kumar Singh, J)

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