

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52225 of 2019

Arising Out of PS. Case No.-29 Year-2019 Thana- MOHIUDDIN NAGAR District-
Samastipur

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MD. ARSHAD ALI Son of Md. Shahanasa @ Shahhasa Resident of Village-
Dubaha, P.S.- Mohiuddin Nagar, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh
For the Opposite Party/s : Mr.Umeshanand Pandit

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-08-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the
offences under Sections 302/34 of the Indian Penal Code.

The prosecution case in short is that the accused
persons under conspiracy killed the son of the informant.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 25.6.2019 and has got no
criminal antecedent. There is no allegation of tampering of
witnesses alleged against the petitioner. Charge-sheet has been
submitted in the present case. The present case has been
instituted under Section 156(3) of Cr.P.C. on the basis of
complaint case filed by the complainant/informant. The said



complaint case was filed on 7.1.2019 while the date of occurrence was 16.12.2018. The delay in lodging the case has not been explained. The informant/complainant is not an eye witness to the alleged occurrence. Merely on the basis of suspicion, the present case has been instituted. It is further submitted that for the same incident, a U.D. case was also instituted as the dead body of the deceased was found by the side of the railway line.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that 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 learned S.D.J.M., Samastipur, in connection with Mohiuddinnagar P.S. Case No. 29 of 2019.

(Sudhir Singh, J)

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