

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56695 of 2019

Arising Out of PS. Case No.-163 Year-2019 Thana- OBRA District- Aurangabad

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Baijnath Singh, Son of Prasad Singh Resident of Village - Chechathi, P.S.-
Obra, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Leelawati Kumari

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

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

ORAL ORDER

3 04-12-2019 Heard learned counsel for the petitioner, learned counsel
for the informant and the learned A.P.P. for the State.

The petitioner is accused in connection with Obra P.S.
Case No. 163 of 2019, registered under Section 302/34 of the Indian
Penal Code.

The accusation is that, at about 11.06 P.M., on
23.06.2019, Ramashray Singh, brother of the informant, Vijay Singh,
moved from the house for Surya temple saying that he will reach at
his field to irrigate the seeds of paddy crops. In the next morning,
informant came to know that a dead body was thrown near *Ahar* then
informant reached there and saw the dead body of his brother,
Ramashray Singh, sustaining sharp cut injury at his face. The
informant raised suspicion about committing murder of his brother
by the petitioner, as due to irrigation of field, petitioner had earlier



giving threatening to kill his brother.

Learned counsel for the petitioner submits that it would appear from the FIR that informant is not the eye witness of the occurrence and the inquest report of the dead body of brother of the informant was prepared on 24.06.2019, on which, Roushan Kumar and Vijay Singh put their signature as witness but later on, Roushan Kumar, claimed to be an eye witness of the occurrence and gave statement before the police on 30.06.2019 claiming himself that he had seen causing assault to the deceased, brother of the informant. Further submission is that petitioner has no criminal antecedent and is in custody since 03.07.2019.

Having regard to the facts and the circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Aurangabad, in connection with Obra P.S. Case No. 163 of 2019. Out of two sureties, one surety must be the close relative of the petitioner.

(Rajendra Kumar Mishra, J)

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