

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21539 of 2020

Arising Out of PS. Case No.-57 Year-2019 Thana- MADHEPURA District- Madhepura

BHUSHAN KUMAR @ BHUSHAN RAM Son of Maheshwari @ Maheshwari Ram @ Bihuni Ram @ Bishuni Ram Resident of Village - Sapha (Gamharia), Ward No- 15, P.S.- Baijnathpur, District - Saharsa

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bikramdeo Singh, Advocate

For the Opposite Party/s : Mr. J.K.Singh, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

4 12-11-2020 Heard learned counsel for the petitioner and learned APP for the State through video conference. Learned counsel for the petitioner undertakes that all defects pointed out by the Stamp Reporter shall be removed, and compliance with the conditions of the notices of this Court with regard to acceptance of e-filing shall be made, without delay immediately upon resumption of normal physical functioning of the Court, and in any event within one month thereof.

2. The petitioner is in custody since 31.01.2020 in connection with Madhepura (Parmanandpur O.P.) P.S. Case No. 57 of 2019 for the alleged offences under Sections 302, 201, 120B/34 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated in connection with murder of the informant's son. It is submitted that the inquest report has been prepared on 13.1.2019 at 10.00 p.m. identifying the boy of the deceased, but his father was not informed on that day, rather a fardbeyan has been filed on the next day on 14.01.2019 by the father of the



deceased. It is further submitted that except suspicion on the ground that the accused persons including the petitioner had accompanied the deceased on 13.01.2019, there is no objective material to connect the petitioner with the alleged occurrence. No motive has also been assigned in the FIR. The petitioner claims clean antecedents.

4. Learned APP refers to para 62 of the case diary in which suspicion has been raised against some persons including the petitioner. However, he has not able to point out any other objective material against the petitioner in the case dairy.

5. Be that as it may and having regard to the period of custody already suffered since 31.01.2020, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura, in connection with Madhepura (Parmanandpur O.P.) P.S. Case No. 57 of 2019, if he is not otherwise required in any other case.

6. Office shall follow-up to ensure that all defects are removed and compliance with the notices of this Court are made by the petitioner within the stipulated time provided in para 1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Vikash Jain, J)

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