

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30399 of 2020

Arising Out of PS. Case No.-4 Year-2018 Thana- ASANWA District- Siwan

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Shiv Shankar Dubey @ Guddu Dubey @ Shiv Shankar Dwivedi, aged about 45 years, male, Son of Swami Nath Dubey @ S. N. Dwivedi, Resident of Village- Jhanda Chapra, Police Station- Asaon, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Adv.

For the Opposite Party/s : Mr. B.N. Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 18-12-2020 Heard Mr. Raghav Prasad, learned counsel for the petitioner and Mr. B.N. Pandey, learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Asaon P.S. Case No. 04 of 2018, dated 17.01.2018, instituted for the offences under Sections 302, 380 and 34 of the Indian Penal Code.

The informant is the son of the deceased, who has alleged that he learnt that his mother has been killed. In the



F.I.R., he has further stated that one Munna Rai had purchased land from the deceased, but had not made any payment for that transaction. When the deceased (mother of the informant) reminded aforesaid Munna Rai to pay the money for the land which was transferred to him, aforesaid Munna Rai along with his associates including the petitioner killed the deceased.

The informant is not an eye-witness to the occurrence and he has lodged the F.I.R. only on the basis of suspicion and hearsay information.

Some of the other associates of aforesaid Munna Rai have been granted anticipatory bail by different Benches of this Court, which fact has been brought on record by way of Annexure 3 to the bail petition.

The petitioner has got clean antecedents and is being prosecuted in this case only on the basis of suspicion in the mind of the informant.

Considering the aforesaid facts and the nature of accusation against the petitioner, he, in the event of his arrest or surrender before the learned Court below within a



period of eight weeks, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-Ist Class, Siwan, in connection with Asaon P.S. Case No. 04 of 2018, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

Praveen-II/-

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