

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81366 of 2019

Arising Out of PS. Case No.-79 Year-2019 Thana- BIHRA District- Saharsa

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BIDYANAND ROY @ Baidyanand Ray S/o Late Yaduni Ray R/o village-
Patori, Ward No. 4, P.S.- Bihra, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Mishra

For the Opposite Party/s : Mr.Nand Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 27-02-2020 Heard the parties.

The petitioner seeks regular bail in connection with Bihra
P.S.Case No.79 of 2019 dated 26.5.2019 registered for offences
punishable under Sections 341, 342, 323, 307, 379, 504 and
506/34 of the Indian Penal Code.

Prosecution story is that father of the informant was
abducted by the petitioner and other accused persons and
thereafter assaulted brutally due to which he died. FIR further
discloses that one Saraswati Devi informed about the occurrence
to the informant.

Submission of the learned counsel for the petitioner is
that FIR itself shows that informant is not eye witness rather
Saraswati Devi is eye witness and the statement of Saraswati



Devi has not been recorded. Charge sheet has been submitted in this case. Petitioner is in custody since 26.7.2019.

Heard learned A.P.P. who has not controverted the fact that statement of Saraswati Devi has not been recorded by the police as per the case diary though the case diary is available up to para 72 and the charge sheet has also been directed to be filed and the supplementary investigation is also due against the other accused persons.

Having heard both sides and considering the submissions as made above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Saharsa in connection with Bihra P.S. case no.79 of 2019.

With the above direction, this application is allowed.

(Vinod Kumar Sinha, J)

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