

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80640 of 2019

Arising Out of PS. Case No.-186 Year-2019 Thana- DIGHWARA District- Saran

AKHILESH RAI Son of Late Hardeo Rai Resident of Village - Unha Chak
Bathani, P.S.- Dighwara, Distt - Saran at Chapra. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shakil Ahmad Khan, Adv.

For the Opposite Party/s : Mr.Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

7 16-07-2020 Seen the show-cause submitted by Superintendent of Police, Saran at Chapra wherefrom it is evident that error whatsoever pointed out been shown as human error. Moreover, an unconditional apology has been sought for with regard thereto. Accepted.

Heard learned counsel for the petitioner as well as learned Additional P.P. through video conferencing.

Informant, father of deceased gave his Fardbeyan on 05.07.2019 disclosing therein that in the preceding evening Rohit Kumar and Deepak Kumar, friends of his son, Vivek Kumar (deceased) came and requested to carry them to Khanda whereupon, his son proceeded on a motorcycle carrying the aforesaid two. In night, Vivek did not return. Today at about 7:00 AM, one Pankaj Kumar, his co-villagers informed that Vivek has been murdered near Ambika Bhawani Halt. They



rushed and found the dead body having gun shot injury over his head. So, he shown suspicion against Rohit Kumar, Deepak Kumar as well as Akhilesh Rai.

Gone through the case diary wherefrom it is evident that none is an eyewitness to the occurrence. In para-9, Pintu Kumar and in para-10, Aham Raj stated that they have seen Rohit, Deepak and deceased, Vivek over one motorcycle and Kanhaiya and Akhilesh over another. It has also been alleged that Vivek was under some sort of intimacy with the sister of Deepak and in the aforesaid background, he was murdered.

In the aforesaid facts and circumstances of the case, petitioner, ***Akhilesh Rai***, in the event of arrest or surrender within four weeks, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of ***Chief Judicial Magistrate, Saran*** at ***Chapra*** in connection with ***Dighwara PS Case No. 186/2019***, subject to the conditions as laid down under Section 438(2) CrPC.

(Aditya Kumar Trivedi, J)

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