

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7346 of 2022

Arising Out of PS. Case No.-113 Year-2007 Thana- PALIGANJ District- Patna

Niwas Lohar @ Jatha @ Niwas Mistry S/o Late Bengali Saw R/o village-
Ankuri, P.S.- Paliganj, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shadab Akhter, Advocate

For the Opposite Party/s : Mr. Arun Kumar Pandey, App

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 16-06-2022 Heard learned counsel for the petitioner and learned

A.P.P. for the State.

Let the defect(s), if any, be removed within four weeks from today.

The petitioner seeks regular bail in connection with Paliganj P.S. Case No. 113 of 2007 instituted for the offences punishable under Sections 302 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is in custody since 18.12.2017, is a person with clean antecedent and charge-sheet has been submitted in the case.

The accusation is that in the evening of 28.06.2007, Raju Singh, the son of the informant, moved from his house to walk but did not return. In spite of hectic search, he could not be traced out. On the next morning, Chandeshwar Yadav @ Nanhak Yadav, informed the informant that his son Raju Singh is lying dead near Mahadeo Asthan and he was seen with



Tuntun Singh. Thereafter, the informant reached there and found the dead body of his son Raju Singh sustaining injury.

Learned counsel for the petitioner submits that the petitioner has been made accused only on the basis of suspicion and no incriminating articles have been recovered from the possession of the petitioner. It is further submitted that similarly situated persons namely, Raju Kumar has been granted bail by a Co-ordinate Bench of this Court vide order dated 24.11.2008 passed in Cr. Misc. No. 44473 of 2008.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody since 18.12.2017, charge-sheet has been submitted in the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional District Magistrate-VII, Danapur, Patna in connection with Paliganj P.S. Case No. 113 of 2007

(Khatim Reza, J)

Gaurav Kumar/-

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