

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4907 of 2023

Arising Out of PS. Case No.-271 Year-2022 Thana- RANIGANJ District- Araria

Chalitar Reshideo @ Chalitar Rishideo @ Charitar Rishideo, Son of Late
Baijee Reshideo R/v- Terasi Tola, Barbanna, Ward No. 04, P.S.-Raniganj,
Dist- Araria

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The accused/petitioner is named in the FIR and apprehending his arrest in connection with Raniganj P.S. Case No.271 of 2022 registered for the offences punishable under Section 302 read with 34 of the Indian Penal Code.

Allegation against petitioner is to commit murder of son of the informant along with other co-accused persons, where occurrence alleged to be committed in the background of land dispute.

It is submitted by learned counsel appearing on behalf of the petitioner that informant is not the eye-witness of this occurrence and, as such, the entire allegation is based upon circumstantial evidence. It is submitted that as some threat was



advanced by petitioner prior to this occurrence to the father of deceased, the petitioner named in this case without having any connecting evidence. It is also submitted that death appears to be caused due to hanging and, as such, the suicidal death cannot be ruled out, which is otherwise convincing *prima facie* and same is also not even appears to be connected in any manner with this petitioner. While concluding argument, it is submitted that land dispute between the parties are pending before the Circle Officer of the area and moreover petitioner is a man of clean antecedent.

Learned APP for the State while opposing the prayer for bail conceded that informant is not the eye-witness of the occurrence.

In view of the above-mentioned facts and circumstances and by taking note of the fact that as informant is not the eye-witness of the occurrence, where entire implication is arises out of suspicion as it appears from bare perusal of the FIR, accordingly, the petitioner above-named, in the event of his arrest or surrender in the court below within a period of four weeks of this order, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned



Sub Divisional Judicial Magistrate, Araria in connection with
Raniganj P.S. Case No.271 of 2022, subject to the conditions as
laid down under Section 438(2) of the CrPC.

(Chandra Shekhar Jha, J.)

Sanjeet/-

U		T	
---	--	---	--

