

IN THE HIGH COURT OF JUDICATURE AT PATNA

Cr.Misc. No.40064 of 2008

RAJU CHOUDHARY

Versus

STATE OF BIHAR

For the petitioner:Mr.Krishna Pd. Singh,Sr.Advocate

For the State :Mr.Jitendra Kr.Singh,APP.

3. 23.12.2008 Heard.

The petitioner seeks bail in a case instituted under sections 302 and 201 IPC.

The Chaukidar is the informant of the present case. The FIR has been lodged against unknown. It appears that a dead body was recovered from a well. In course of investigation, it appears that the father, brother, father-in-law and mother-in-law of the victim have stated that the deceased victim was last seen with the petitioner on 1.2.2008. It further appears that the victim was seen in the company of the petitioner and one Manoj Choudhary. The FIR appears to be replete with the fact that Manoj Choudhary had illicit relationship with the wife of the deceased.

Counsel for the petitioner on the basis of the materials on records, submits that so far as the petitioner is concerned, there was no motive to commit the crime. It is further submitted that at best the petitioner can be said that he was last seen with the victim on 1.2.2008. It is also submitted that he is in custody since 7.5.2008.

Regard being had to the facts and circumstances of the case, the petitioner abovenamed 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 Addl. Sessions Judge, Fast Track Court No.III, Rohtas at Sasaram in S.Tr. no.477/08 arising out of Nokha p.s.case no.25/08 on the condition that one of the bailors should be own/close family member of the petitioner.

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(Kishore K. Mandal)

