

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33421 of 2014

Arising Out of PS.Case No. -199 Year- 2014 Thana -BHABHUA District- BHABHUA (KAIMUR)

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Gautam Singh, Son of Late Saraju Singh, Resident of Village-Sarangapur,
P.S.-Bhabua, District-Kaimuar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Nandan Sahay, Advocate

For the Opposite Party/s : Mr. Sadanand Paswan, Spl.PP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 02-03-2015 Heard learned counsel for the petitioner and the learned
counsel for the State.

The petitioner is in custody since 14.5.2014 in connection with Bhabua P.S. Case No.199 of 2014 registered for the offences under Sections 302/34 of the Indian Penal Code and Sections 3(i)(x) and 2(v) of the Scheduled Caste & Scheduled Tribe (Prevention of Atrocities) Act.

The allegation against the petitioner is that he along with other engaged in a quarrel with the informant and thereafter snatched the baby girl of the informant from his lap and threw her into the river, which caused her death.

Learned counsel for the State, however, has perused the case diary. It appears from the further statement of the informant

that the occurrence, in fact, is otherwise and not as stated in the F.I.R. In his further statement, it has come on the record that while the informant was coming after taking his baby girl with him from his *Sasural*, having earlier engaged in a quarrel with his wife, the baby girl fell into the river and thereafter he went to his village and by the time when he came back to pull out the baby from the river, the baby was already dead.

Considering the discrepancy in the stories as stated by the informant in the F.I.R. as well as in his further statement and also the period of custody, let the above named petitioner be released on bail on his furnishing bail bond of Rs.10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhabua (Kaimur), in connection with Bhabua P.S. Case No.199 of 2014.

(Anjana Mishra, J)

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