

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36915 of 2014

Arising Out of PS.Case No. -128 Year- 2011 Thana -KUDHNI District- MUZAFFARPUR

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Surendra Sah, Son of Bhonu Sah, Resident of Village – Turki, Barkurwa,
P.S. Kurhani, District – Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Neeraj Kumar Alias Sanidh

For the Opposite Party/s : Mr. Nand Kishore Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

04/ 16-01-2015

Heard learned counsels for the petitioner and

the State.

The petitioner is languishing in custody since 28.03.2014 in a case registered for the offences punishable under Sections 302 and 201/34 of the Indian Penal Code.

It is alleged that the informant's son went to his in-laws house where he was throttled to death. Though, the post-mortem suggests the death by throttling and in the First Information Report the informant has stated that he came to know about the occurrence through six years old daughter of the deceased, who suggested that grand parents-in-law and this petitioner, who had some illicit relationship with the wife of the victim, throttled the victim, but considering the suspicious nature of accusation the grand parents-in-law and wife of the victim have

been granted bail vide Cr. Misc. No. 14660 of 2012. The statement of victim's daughter has not been recorded during investigation.

A statement has been made in para 3 of the petition that the petitioner has no criminal antecedent.

Considering the fact that the statement of the minor daughter of the victim has not been recorded during investigation and informant is not the eye witness to the occurrence, let the above named petitioner, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Muzaffarpur in connection with Kurhani P.S. Case No. 128 of 2011.

(Dinesh Kumar Singh, J)

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