

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39944 of 2015

Arising Out of PS.Case No. -207 Year- 2014 Thana -CHAINPUR District- BHABHUA (KAIMUR)

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Srawan Chauhan @ Srawan Kumar Chauhan Son of Purusattam Chauhan
Resident of Village- Hata P.s Chainpur District Kaimur at Bhabua.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey

For the Opposite Party/s : Mr. Ram Naresh Roy (APP)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 14-10-2015

Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

The petitioner is languishing in custody since 5.6.2015 in connection with Chainpur P.S. Case No. 207 of 2014 for the offences under Sections 302, 201 and 328/34 of the Indian Penal Code.

The prosecution case, in brief, is that the informant got information on 19.11.2014 that his daughter Geeta Kumari, who was working at Puja Brick Kiln, developed illicit relation with the petitioner and having become pregnant, she started putting pressure upon the petitioner to marry her. Thereafter the petitioner had taken her to his house and given poison in her meal and left her near a pond situated at the Brick Kiln. Next day, the owner of the Brick Kiln along with others got her treated by local Doctor and while she was being taken to

Chandauli for treatment she died in the way and the accused persons burnt the dead body.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. He is in custody since 5.6.2015 and the charge sheet has been submitted in the case. There is no allegation of tampering with the evidence against the petitioner. The alleged date of occurrence is said to be 19.11.2014 but the case has been instituted on 10.12.2014. No explanation has been made on behalf of the prosecution with respect to the delay in institution of the F.I.R. There is no direct or indirect evidence against the petitioner. The petitioner has been made accused merely on suspicion.

On behalf of the State it is stated that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Kaimur at Bhabua in connection with Chainpur P.S. Case No. 207 of 2014.

(Sudhir Singh, J)

S.Pandey/-

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