

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10418 of 2015

Arising Out of PS.Case No. -96 Year- 2014 Thana -BHAGWANPUR District- BHABHUA
(KAIMUR)

=====

Kaushalya Devi, W/o Bigan Bind, Resident of Village Buchha, P.S.
Bhagwanpur, District Kaimur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 14-05-2015

Heard both sides.

The petitioner seeks regular bail in a case under
Section 302 and other sections of the Indian Penal Code.

Chhanguri Devi, the mother of the deceased Ashok Bind, alleged that in the night at about 1:00 on 22.05.2014, the petitioner took her son Ashok Bind to her house. Thereafter Ashok Bind became traceless. His dead body was recovered from a well on 24.05.2014. The informant, in her complaint petition, alleged that she was serving her father-in-law properly. Ashok Bind was also taking care of his grand-father and, that is why, the grand-father gifted his property to Ashok Bind. The accused persons were annoyed. It is submitted that the occurrence is said to have taken place on 21/22.05.2014, the dead body of Ashok Bind was recovered from a well on 24.05.2014 but no information or F.I.R.

was lodged. Chhanguri Devi filed the complaint petition on 18.06.2014, on the basis of which, the present F.I.R. was lodged on 04.07.2014.

Learned counsel for the informant as well as learned A.P.P. vehemently opposed the prayer for bail and submitted that it was the petitioner who took away Ashok Bind from his house and thereafter Ashok Bind became traceless.

It appears that the wife of the deceased claimed to have seen the petitioner taking her husband. This fact was known to all the family members of the informant but, for the reasons best known to the informant and other family members, no case was lodged even after recovery of the dead body on 24.05.2014. The complaint petition was filed only on 18.06.2014, i.e. after about three weeks of the occurrence.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged 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 learned Chief Judicial Magistrate, Bhabua, Kaimur in Bhagwanpur P.S. Case No. 96 of 2014.

(Prabhat Kumar Jha, J)

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