

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.1871 of 2015

Arising Out of PS.Case No. -115 Year- 2013 Thana -PARSA District- SARAN

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Jawahir Rai son of Jamuna Rai resident of Village - Gorigawan, P.S. -
Parsa, District - Saran (Chapra).

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Prakash

For the Opposite Party/s : Mr. Sanjay Kumar Sharma (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

03/ 23-03-2015

Heard learned counsels for the petitioner and
the State.

The petitioner is languishing in custody since
01.11.2014 in a case registered for the offences punishable under
Sections 302/34 of the Indian Penal Code.

It is alleged that on 24.11.2013 at 8.30 P.M
in the night petitioner and his son Pintu Rai came to the house of
the informant and took the informant's son Anil to attend some
marriage. Thereafter, next day in the evening the dead body of the
victim was recovered. It is further alleged that the victim has illicit
relationship with the daughter of the petitioner namely, Shilpi

Kumari.

It is submitted by learned counsel for the petitioner that the question of illicit relationship between the daughter of this petitioner and the victim was considered after going through the case diary by a co-ordinate Bench of this Court while considering the bail application of Shilpi Kumari when after finding no substantial evidence collected during investigation to that effect, Shilpi Kumari was granted bail vide Cr. Misc. No. 15562 of 2014. The story of last seen has only been supported by the family members of the victim. No independent witnesses have supported the story of last seen.

The learned APP after going through the case diary has submitted that story of last seen has been canvassed by the informant, the cousin and the sister of the victim, but not by any independent witness. It is further submitted that the cause of death has been found to be electrocution and the investigation has already concluded.

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

Considering the aforesaid facts, 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 Chief Judicial Magistrate, Saran
at Chapra in connection with Parsa P.S. Case No. 115 of 2013.

(Dinesh Kumar Singh, J)

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