

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41479 of 2015

Arising Out of PS.Case No. -150 Year- 2014 Thana -SUGAULI District-
EASTCHAMPARAN(MOTIHARI)

=====

Rajesh Sah @ Deepak Kumar Sah son of Mishri Lal Sah, Resident of
Village- Godhwa, P.S.- Motihari Mufassil, District- East Champaran

.... 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 V.N. SINHA
ORAL ORDER

2 16-10-2015 Heard learned counsel for the petitioner and the

State.

Petitioner is apprehending his arrest in connection
with a case registered for the offence under Sections 302,
201/120B of the Indian Penal Code. He is named in the First
Information Report along with father, mother, brother-in-law
and wife of the deceased.

It is submitted on behalf of the petitioner that he
being distant relation of the in-laws of the deceased has been
falsely implicated in the case. It is also submitted that the
brother, mother-in-law of the deceased having been admitted to
the privilege of bail in the event of arrest under order no. 2

dated 23.04.2015 passed in Cr. Misc. No. 47336 of 2014, Annexure-2, petitioner deserves similar treatment, as has been done in the case of brother, mother-in-law of the deceased, Accused nos. 2 and 3 in the First Information Report.

I regret not to accept such submission in view of the fact that perusal of the First Information Report indicates that the deceased who worked somewhere outside had come to his village and had gone to his in-laws house 2-3 days earlier and the informant—uncle of the deceased having learnt in the morning of 28.05.2014 that his nephew has been done to death by the in-laws, came to the village of the in-laws, made enquiry and thereafter came to Sugauli P.S. and submitted written report on the basis of the information which he derived at the village of occurrence, on the basis of which the First Information Report was registered and Investigating Officer proceeded to the place of occurrence and recovered the dead body.

In such circumstances, I am not inclined to admit the petitioner to the privilege of bail in the event of arrest. His prayer for bail in the event of arrest is rejected with direction to surrender in the court of A.C.J.M., Motihari in connection with Sugauli P.S. Case No. 150 of 2014 within four weeks from the

date of receipt/ production of a copy of this order in the court
below and apply for regular bail, which should be considered
in accordance with law.

(V.N. Sinha, J.)

Arjun/-

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