

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51186 of 2015

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Govind Mishra S/o Vidya Kant Mishra @ Bechan Mishra, resident of
village and P.S. Mahisi, District- Saharsa

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pravin Kumar Sinha

For the Opposite Party/s : Mr. Raj Ballabh Singh (App)

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 09-02-2016

Heard learned counsel for the petitioner and learned

counsel for the State.

Petitioner is accused in connection with Mahishi
P.S. Case No. 108 of 2015 registered under Sections 302, 201, 34
of the I.P.C.

The allegation of informant Phulkant Jha is that
marriage of his grand daughter Rubi Devi was performed before
16 years and due to wedlock, there were two children namely
Bharat Mishra and Shani Mishra aged about 16 years and 14
years. Rubi Devi was killed before 12 years thereafter she was
being tortured. On 05.06.2015, petitioner, Bidhiyakant Mishra,
Premsheela Devi and Manmohan Mishra committed murder to
Bharat Mishra and disposed of the dead body.

Learned counsel appearing on behalf of the petitioner
submits that while there is allegation made in the F.I.R. about

committing murder of grand-daughter of the informant 12 years back but no any case was lodged by the informant in this regard. In fact, Rubi Devi, wife of the informant, died 12 years ago due natural death. In fact, Bharat Mishra, son of the petitioner committed theft of Rs. 3,000/- for purchase the mobile. After knowing the same, petitioner, being the father, assaulted him. Thereafter, he himself locked in the room and denied to take meal and he became ill. On the next day, he was taken to the Hospital for treatment, but on the way he died. This fact has also been stated in paragraph nos. 12 and 13 of the case diary. Moreover, the informant was also present during the funeral ceremony of Bharat Mishra but due to ulterior motive, the present case has been lodged by the informant.

Having considered the facts and circumstances of the case, let the above named petitioner 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 C.J.M., Saharsa in connection with Mahishi P.S. Case No.108 of 2015.

(Rajendra Kumar Mishra, J.)

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