

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29920 of 2016

Arising Out of PS.Case No. -35 Year- 2016 Thana -BHARGAWAN District- ARRARIA

1. Nirmal Sharma @ Wirmal Sharma S/o Jhouli Sharma Resident of village- Simarbanni Khatabe Tola, Ward No.- 01, P.S.- Bhargama, District- Araria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh

For the Opposite Party/s Sri Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

02/ 28.07.2016

Heard learned counsel for the petitioner as well as learned

Addl. Public Prosecutor for the State.

Petitioner seeks bail in a case registered under sections 302, 201/34 of the Indian Penal Code.

Six years old son of the informant went missing on 20.3.2016 and on the next day i.e. 21.3.2016, dead body of the informant's son was recovered from a maize field. Informant expressed his doubt against the petitioner.

From perusal of the impugned order, I find that in course of investigation one Sulekha Kumari, who happens to be daughter-in-law of the petitioner, stated before the Investigating officer that she was in love with the petitioner's son and the informant of the present case pressurized the petitioner for her marriage with the son of the petitioner and the aforesaid conduct of the informant caused

annoyance to the petitioner. Furthermore, some witnesses claimed to have seen the deceased at the door of the petitioner. It appears that except two circumstances, Investigating officer failed to collect further material against the petitioner to show his involvement in the present case.

Moreover, petitioner is in jail custody since 22.3.2016 and investigation against him appears to have already been completed.

Accordingly, petitioner is directed to be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of Sri Kr. Amit Manu, Judicial Magistrate, Ist Class, Araria in Bhargama P.S. Case no. 35/2016.

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(Hemant Kumar Srivastava,J)

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