

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28820 of 2016

Arising Out of PS.Case No. -31 Year- 2016 Thana -DAUDPUR District- SARAN

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Ganesh Sah @ Ishwar Sah son of Rambabu Sah @ Bhola Sah resident of
village- Jaitpur, P.S.- Daudpur, District-Saran at Chapra (Bihar).

.... Petitioner/s

Versus

The state of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar, Advocate.

For the Opposite Party/s : Mr. Sri Bharat Bhushan, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 31-08-2016 The case diary has been received along with the pen drive.

On examination of the pen drive, it is found that the scan copy of
the case diary is therein. The said pen drive does not contain any
video. It relates to the statement made by the deceased.

Let the said pen drive be returned to the court below along
with the case diary under sealed cover.

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 21.03.2016
in connection with Daudpur P.S.Case No. 31 of 2016 registered
for offence under Section 302/34 of the Indian Penal Code.

The prosecution story, in brief, is that the marriage of the
daughter of the informant was solemnized with one Ganesh San
@ Ishwar Sah son of Rambabu Sah about one year ago. His son-

in-law used to torture his daughter without any reason and he was in illicit relationship with his aunt. On 20.02.2016, all the accused persons set ablaze her daughter with intention to kill her due to which she sustained serious burn injury and during treatment, she died.

On behalf of the petitioner, it is submitted that the petitioner is in custody since 21.03.2015. Charge-sheet has been submitted in the present case. The petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The date of occurrence is 20.02.2016 but FIR has been instituted on 25.02.2016. Delay has not been explained by the prosecution. From perusal of Para 19 of the case diary, it is evident that the fardbeyan of the deceased was recorded on 21.02.2016 by one Umesh Prasad Singh, Sub-Inspector of Police, Bhagwan Bazar Police Station at Sadar Hospital, Chapra, where she admitted that due to accidental fire she has sustained burn injury.

On behalf of the State and the counsel for the informant, it has been submitted that the petitioner is named in the F.I.R and he is the husband of the deceased.

Considering the aforesaid facts and circumstances and the fardbeyan of the deceased, let the petitioner above named, 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 the learned Judicial Magistrate 1st Class, Saran at Chapra in connection with Daudpur P.S Case No. 31 of 2016.

(Sudhir Singh, J)

Prakash/-

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