

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31445 of 2016

Arising Out of PS.Case No. -26 Year- 2015 Thana -DUMRA District- SITAMARHI

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1. Ram Priya Singh, son of late Ram Chandra Singh, resident of village
Rasalpur, PS-Dumra, Dist.- Sitamarhi Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vaidehi Raman Prasad Singh

For the Opposite Party/s : Mr. Matloob Rab, APP-34

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

4 09-09-2016

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

The petitioner seeks bail in connection with Dumra P.S.
Case No. 26 of 2015 registered for the offence punishable under
Sections 302/34 of the Indian Penal Code.

Allegedly, Munni Devi, the daughter of the informant who
was married with Sushil Singh, the son of the petitioner, was
found dead and the information was given to the informant that
she has died due to heart attack and it is alleged that the petitioner
and others killed her.

Submission is of false implication and that during
investigation the allegation, as alleged, has not been found true,
after completing investigation chargesheet has been submitted
under Sections 306/34 IPC and not under Sections 302/34 IPC. In
the first information report there is no allegation rather suspicion

has been raised against the petitioner and others. However, after realizing the truth the informant has filed petition to discharge the petitioner and others from this case as the case was lodged under misconception vide annexure-4 and as such the petitioner deserves sympathetic consideration as he is suffering in custody since 13.03.2016 and there is no chance of tampering with prosecution evidence.

Learned APP fairly submits that now the informant is not supporting the prosecution version.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi in connection with Dumra P.S. Case No. 26 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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