

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 35547 of 2016

Arising out of P.S. Case No. - 7 Year - 2016 Thana - AWTARNAGAR District - SARAN

Kusheshwar Singh, Son of Late Shivjee Singh, Resident of Village - Jhausa
Basant, P.S. - Awatar Nagar, District - Saran

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Sanjay Kumar Singh, Advocate

For the Opposite Party : Smt. Renu Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 24-10-2016

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

The petitioner is languishing in custody since 05.06.2016
in connection with Awatar Nagar P.S. Case No. 07 of 2016 for the
offences instituted under Sections 302/32 of the Indian Penal Code.

The prosecution story, in brief, is that after getting
information about a girl falling down from a train and lying in injured
condition near Kothiya railway bridge, the informant reached there and
saw the petitioner and other villagers present there. The petitioner
disclosed her name as Sanju Kumari aged about 18 years. It has further
been alleged that the villagers disclosed that the girl was pushed from
Lichchivi Express Train by her parents as she was pregnant. The
villagers disclosed the name of her parents as the petitioner and her
wife Gita Devi.

It has been submitted on behalf of the petitioner that the

petitioner is in custody since 05.06.2016 and the charge sheet has been submitted in the present case. The petitioner has got no criminal antecedent. There is no allegation of tampering of the witnesses alleged against the petitioner. Petitioner is the father of the deceased. The deceased accidentally had fallen from the train, she was taken for treatment. After her death, inquest was prepared. Petitioner is witnessed to the said inquest report. Later on, a case was instituted by the Chaukidar suspecting the involvement of the petitioner. None of the witnesses has supported the allegation of the Chaukidar as stated in the F.I.R.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, 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 Chief Judicial Magistrate, Saran at Chapra in connection with Awatar Nagar P.S. Case No. 07 of 2016.

(Sudhir Singh, J.)

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