

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60690 of 2017

Arising Out of P.S.Case No. -51 Year- 2017 Thana -MAHILA P.S. District- ARRARIA

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Mahadev Sah @ Mahadeo Sah, Son of Late Hari Lal Sah, resident of
Village- Rangdaha, Police Station- Palasi, District- Araria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Raj Kumar, Advocate

For the Opposite Party : Mr. Parmanand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 19-12-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is in custody in connection with Araria
(Mahila) P.S.Case No.51 of 2017 registered for an offence under
Section 302 and ancillary Sections of the IPC.

The case has been registered against five FIR named
accused. It is alleged that one of the co-accused Md. Sohrab
established his physical relationship with the daughter of the
informant and on account thereof, the daughter of the informant
conceived. Thereafter Md. Sohrab and his family members who
are named in the FIR brought the victim to nursing home and got
her pregnancy aborted. The condition of the daughter of the
informant deteriorated and ultimately died after few days.



Learned counsel for the petitioner submits that this petitioner is neither named in the FIR nor there is any allegation against the petitioner. The name of this petitioner surfaced in course of supervision as one of the relatives, i.e., sister-in-law of the deceased, disclosed that on the date of occurrence, this petitioner was also present when the victim was brought for abortion. This statement came after one month of the death of the deceased. Petitioner is in custody since 26.09.2017 having clean antecedent.

The learned APP opposed the submissions.

Considering the clean antecedent of the petitioner and the facts and circumstances of the case, prayer for bail is allowed. 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 SDJM, Araria in connection with Araria (Mahila) P.S.Case No.51 of 2017.

(Sanjay Kumar, J)

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