

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54817 of 2016

Arising Out of PS.Case No. -171 Year- 2016 Thana -MAHARAJGANJ District- SIWAN

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Hirdya Sharma @ Hirdya Lal Sharma son of Late Sheo Ji Sharma, resident
of Village- Dhobwalia, P.S.- Maharajganj, District - Siwan

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singhk, Advocate

For the Opposite Party/s : Dr. Ajeet Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

- 3 28-01-2017 Heard learned counsel for the petitioner and the State.
- The petitioner seeks bail in a case instituted for the offences under Sections 302 and 120(B)/34 of the Indian Penal Code.
- It is alleged that Savita Kumari was in love with the son of the informant Jitendra Kumar Sah alias Jitendra Kumar. The informant had sent her son to Gujarat when she learnt about such love affairs. It is alleged that on 31.08.2016, son of the informant returned and the brother of Savita Kumari namely, Rajesh Sharma came to the house of the informant to take the mobile number of Jitendra. She did not give the mobile number of her son Jitendra. On the next day, the informant learnt that the dead bodies of her son and Savita Kumari are lying near the railway line. The informant has alleged that Rajesh Sharma along



with this petitioner and other co-accused have committed murder of her son.

Learned APP opposed the prayer for bail of the petitioner and has pointed out the statement of one Mithu Kumar recorded in paragraph 45 of the case diary where he raised suspicion against the petitioner.

From the order of the learned Sessions Judge it also appears that mere suspicion has been raised against this petitioner. The petitioner is said to be in custody since 26.09.2016.

Considering the aforesaid facts and circumstances of the case, let the petitioner above named, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate V, Siwan in connection with Maharajganj P.S.Case No. 171 of 2016, subject to the condition that both the bailors will be the close relatives of the petitioner.

(Sanjay Priya, J)

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