

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11153 of 2017

Arising Out of PS.Case No. -52 Year- 2016 Thana -PALANWA District-
EASTCHAMPARAN(MOTIHARI)

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1. Bindalal Prasad, son of Sri Sheo Sah, Residents of Village- Belawa, P.S.-
Palanwa, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Sri Kumar Virendra Narayan

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 20-03-2017 Heard both sides.

The petitioner seeks bail in Palanwa (Bhelahi O.P.)

P.S. case No. 52 of 2016 under Section 302, 120B, 34 of the
Indian Penal Code.

The complainant, Mina Devi, filed complaint case on
31.05.2016. She alleged that her sister-in-law (Gotini), Mohpatiya
Devi, adopted her son, Ramji Sah, and her son was living with her
but Bindalal Prasad, the petitioner, developed illicit relationship
with Mohpatiya Devi. Mohpatiya Devi wanted to sell the land to
her paramour and that is why the accused persons killed her son
by strangulating him.

The learned counsel for the petitioner submits that



the occurrence took place on 04.03.2016 at 11 in the night and on the next day the informant gave written report stating therein that her son came to her house after taking wine and when her daughter protested, her son slapped her and went outside the house. After some time he committed suicide by hanging himself. The informant did not make any sorts of allegation against the petitioner or anybody else, rather, she disclosed that her son committed suicide and after about two months the informant filed complaint case stating a different story about the killing of her son.

Considering the facts aforesaid and the nature of allegation made against the petitioner, the above named petitioner is directed to be enlarged 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 Sub-divisional Judicial Magistrate, Raxaul at Motihari, East Champaran in Palanwa (Bhelahi O.P.) P.S. Case No. 52 of 2016.

(Prabhat Kumar Jha, J)

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