

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52240 of 2016

Arising Out of PS.Case No. -101 Year- 2016 Thana -TEKARI District- GAYA

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Ganesh Kumar @ Ganesh Saw, Son of Gariban Saw, Resident of Village-
Bahelia Bigha, Police station- Tekari, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar, Advocate.

For the Opposite Party/s : Mr. Sri Jagdhar Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

5 04-07-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with

Tekari P.S. Case No. 101 of 2016, registered under Sections 328

and 302 of the Indian Penal Code.

The allegation of informant, Tarachandra Sao, is that

the marriage of his daughter was performed with Ganesh Sao

before 15 years and out of wedlock there are two children but the

petitioner used to torture his wife, daughter of informant. On

27.03.2016, the informant received information to the effect that

his daughter died. Thereafter, he went to the matrimonial house of

his daughter and found that his daughter was lying dead and smell

was coming out from her mouth. The informant raised suspicion



about committing murder of his daughter by his son-in-law by intoxicating.

Learned counsel for the petitioner submits that admittedly, the marriage of the petitioner was solemnized with the daughter of the informant before 15 years and there are two children out of wedlock. In fact, daughter of the informant died due to sudden illness and the information was given to the informant by the petitioner and the informant also came and after postmortem, he participated in the funeral.

Learned A.P.P. opposed the prayer for bail of the petitioner and submitted that no external injury was found on the person of the deceased, daughter of the informant, and no any witness has claimed to be an eye witness of the murder of the deceased. The viscera report has been received from the office of the Director, Forensic Science Laboratory, Patna, in which, no metallic, alkaodial, glycoidal, pesticidal or volatile poison could be detected in the contents of glass jar.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount



each to the satisfaction of the Chief Judicial Magistrate, Gaya, in connection with Tekari P.S. Case No. 101 of 2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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