

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67803 of 2018

Arising Out of PS. Case No.-12 Year-2018 Thana- ATHMALGOLA District- Patna

Nitish Kumar, Son of Sri Saran Rai, Resident of Village-Chiraiya, P.S.-
Bakhtiyarpur, Distirct-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Smr. Ajay Kumar Thakur ,Advocate.
For the Opposite Party/s : Mr. Sri Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 19-11-2018 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in Athmalgola P. S. Case
No. 12 of 2018 instituted for the offence under Section(s) 302,
201 and 120B/34 of the Indian Penal Code.

A supplementary affidavit has been filed on behalf of
the petitioner which is taken on record.

In the written report, it is alleged that informant was
married with one Meghan Rai about 20 years back. The
husband of the informant developed illicit relationship with
one Sunita Devi. Later on, they eloped and got married. The



husband of the informant was residing in Patna along with Sunita Devi in a rented house. It is further alleged that husband of the informant forcibly took her both sons to Patna about one and half years back for their study. She made protest. Then, she was assaulted by Meghan Rai and Sunita Devi. It is further alleged that on 12.1.2018, in the morning, suddenly the dead body of one of her son, namely, shobhit Kumar was brought in the village on a tempo by this petitioner and other accused persons as named in the written report and returned back.

Learned counsel for the petitioner has submitted that deceased is maternal brother of this petitioner. He has no concern with the affairs of informant and her husband. It has further been submitted that in the written report itself it is mentioned that both the sons have been taken away forcibly by the husband of the informant and they were residing with the husband of the informant.

It is mentioned in para 3 of the bail petition that petitioner has no criminal antecedent.

The petitioner is in custody since 2.9.2018.

Considering the aforesaid, 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 S.D.J.M. Barh, in connection with
Athmalgola P. S. Case No. 12 of 2018 subject to the condition
that both the bailers shall be the close relative of the petitioner.

(Sanjay Priya, J)

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