

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59796 of 2017

Arising Out of PS.Case No. -375 Year- 2017 Thana -KADAMKUAN District- PATNA

=====

1. Vidya Bhushan Prasad, Son of Hari Shankar Prasad, Resident of village
Madhiya, P.S. Sonbarsa, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar

For the Opposite Party/s : Mr. Shyam Bihari Singh

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 05-02-2018

Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 363 and 365 of the Indian
Penal Code.

Submission of the learned counsel for the
petitioner is that informant of this case is full-brother of the
stepmother of the petitioner. The background of this allegation is
that father of this petitioner got an insurance of Rs.1,00,00,000/- in
the name of mother of the petitioner. Thereafter to get the
insurance money, father committed murder of the mother for
which Sitamarhi P.S. Case No. 40 of 1997 was lodged by maternal
uncle of this petitioner. Thereafter, the father married with the
sister of the informant of this case.



The aforesaid fact has been suppressed in the FIR wherein allegation is that brother of the informant was taken away by his friend (the petitioner) whereas the petitioner was direct relation of the informant. There is no eye-witness of the occurrence of murder.

Learned counsel for the informant opposed the prayer for bail that since the deceased had gone with the petitioner, hence, any other hypothesis of commission of murder by any other person is completely lacking in this case.

Considering the background of the allegation and suppression of the fact aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Kadamkuan Police Station Case No. 375 of 2017, subject to the condition that the petitioner shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

Kundan/-

U		T	
---	--	---	--

