

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42395 of 2018

Arising Out of PS. Case No.-18 Year-2018 Thana- KEWATI District- Darbhanga

Surendra Das, S/o Jhingur Das, R/o Vill.- Sonhan, P.S.- Keoti, District-Darbhangha.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Girish Chandra Jha, Advocate.
For the Opposite Party : Mr. Arun Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 28-11-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 302 and 201/34 of the IPC.

The prosecution story, in brief, is that the informant solemnized her daughter, namely, Vijita Devi with one Mithilesh Das ten years ago and she gave birth two female and one male child from their wedlock. It is further alleged that 4-6 of the occurrence, the cousin Dewar of her daughter, namely, Mukesh Das abducted her daughter. It is alleged that Samdhin of the informant informed on Mobile of his neighbour, namely, Vishnudev Das that her daughter is not present at her house but after some time she could know that her daughter and Mukesh Das came in the village yesterday and after arrival of her



daughter, the petitioner alongwith other accused persons, namely, Surendra Das (petitioner), Upendra Das and co-accused Mithilesh Das killed her after strangulation and concealed the dead body in the *Mango Orchard* of Barhi Village.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. Except for suspicion, there is no any substantive evidence to suggest the implication of the petitioner in the present case. There is no eye witness to the alleged occurrence. It is alleged that the deceased had illicit relation with her *Dewar*.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-VIIth, Darbhanga, in connection with G.R. No. 357 of 2018,



arising out of Keoti P.S. Case No. 18 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

(Sudhir Singh, J)

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