

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32389 of 2018

Arising Out of PS.Case No. -16 Year- 2018 Thana -PUPRI District- SITAMARHI

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Ramesh Sah son of Shyam Sah R/o Village - Benipatti, P.S. - Benipatti,
District - Madhubani.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha,Adv

For the Opposite Party/s : Mr. Sri Rana Randhir Singh,A.P.P

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

2 13-06-2018 Heard learned counsel for the petitioner and learned
APP representing the State.

The petitioner, in the present case, is seeking regular bail in connection with Pupri P.S. Case No. 16 of 2018, registered for offences alleged under Sections 302, 201/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that from a bare reading of the First Information Report it would appear that the petitioner is not named in the F.I.R. It is alleged that some unknown criminals had murdered the daughter of the informant. The deceased had left her house on 22.01.2018 at 11 A.M saying that she was going to visit the house of niece of her husband in village Mahua but she did not return on 23.01.2018 i.e. the next day. Learned counsel points that the attesting witness to the F.I.R is non-else but the daughter of the deceased. It however appears



that in course of investigation after about ten days the daughter developed a different story and alleged that her mother was called by the Tubewell Mistry Ramesh (the petitioner) and on this basis alone the petitioner has been made an accused in course of investigation. Learned counsel submits that the prosecution story now developed in course of investigation is entirely different from the prosecution case.

Learned APP for the State is present and has opposed the prayer for bail.

Considering the facts and circumstances of the case, whereunder it is stated that the deceased had left her house stating that she was going to village Mahua to meet the niece of her husband and submission of the petitioner being that now in course of investigation a different story is being alleged, I am inclined to grant regular bail to the petitioner. Let the petitioner, above named, be enlarged on bail on his 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, Pupri in connection with Pupri P.S. Case No. 16 of 2018, subject to the conditions U/S 437(3) Cr.P.C.

(Rajeev Ranjan Prasad, J)

Arvind/-

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