

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21810 of 2018

Arising Out of PS.Case No. -125 Year- 2018 Thana -DHAKA District-
EASTCHAMPARAN(MOTIHARI)

=====

Nand Lal Sah Son of Kuar Sah Resident of Village-Semra Karsahiya, P.S.-
Dhaka, District-East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Md. Nazir Ansari

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 22-05-2018 Learned counsel for the petitioner is permitted to

make correction in paragraph-10 of the petition so that the date of

arrest may be changed as 28.8.2017 in place of 5.5.2016.

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner is an accused in a case registered for

offence under Sections 304(B) and 201/34 of the Indian penal

Code.

It is submitted by learned counsel for the petitioner

that the falsity of the allegations is apparent from the fact that

though the F.I.R. alleges that the informant's daughter has died in

his presence on 6.5.2016, F.I.R. has been lodged on 20.5.2016. It

is also submitted that the investigation has revealed that pursuant

to the death of the victim girl, the father of the girl had gone to the

village and participated in Panchayati for share in favour of the



three sons left behind by the deceased. He submits that the prosecution is an after thought on extraneous considerations. Even the postmortem has not been done of the victim from which the prosecution may derive any substance. Petitioner is in custody since 28.8.2017.

Considering the aforesaid submissions, prayer for bail of the petitioner is allowed. Let the petitioner, mentioned above, be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, East Champaran, Motihari in Dhaka P.S. Case No.125 of 2016 on the following conditions : -

One of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner and

The petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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