

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3323 of 2018

Arising Out of PS.Case No. -176 Year- 2017 Thana -PIPRA District-
EASTCHAMPARAN(MOTIHARI)

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Radheshyam Sah S/o Chundeo Sah, R/o Village- Madhurapur, P.S.- Pipra,
District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Sri Mithilesh Kumar Khare

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 19-02-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
17.10.2017 in connection with Pipra P.S. Case No.176 of 2017 for
offences punishable under Sections 304B, 201 and 120B of the
Indian Penal Code.

The prosecution case, as lodged by the informant, is
that his daughter was married to the petitioner four years back and
had a child out of the wedlock but she was tortured for non-
fulfillment of demand of motorcycle by the husband and in-laws
and was ultimately killed and is traceless. It is stated in the F.I.R.
that the mother-in-law of the deceased had telephonically



informed the informant that his daughter has gone away some where.

It has been submitted by the learned counsel for the petitioner that he is innocent just because he is the husband, he has been made accused. He submits that the informant's daughter was of unsound mind and has gone away out of her own will and is traceless.

However, learned APP for the State opposes the prayer for bail stating therein that there is no missing report lodged before the police nor body of the victim lady has been traced as yet.

Considering the facts and circumstances and the materials on record, I am not inclined to grant privilege of bail to the petitioner at this stage in connection with Pipra P.S. Case No.176 of 2017, pending in the court of learned Chief Judicial Magistrate, Motihari, East Champaran.

The application is, accordingly, rejected.

(Nilu Agrawal, J)

Devendra/-

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