

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32475 of 2018

Arising Out of PS.Case No. -261 Year- 2017 Thana -BARGANIA District- SITAMARHI

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Shyam Sahani S/o Parmeshwar Sahani , R/o Vill.- Ashogi, P.S.- Bairginia,
District- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Sri Atul Chandra, APP

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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
for the State.

The petitioner, in the present case, is seeking regular bail in connection with Bairginia P.S. Case No. 261 of 2017, registered for offences alleged under Sections 302, 201/34 of the Indian Penal Code.

It is submitted on behalf of the petitioner that the marriage between the petitioner and deceased was solemnized 20 years back and there are six children out of wedlock. It is submitted that on perusal of the impugned order itself it will appear that in course of investigation the son as well as married daughter and son-in-law of the deceased all have stated that the deceased has committed suicide and they had participated in the funeral ceremony.



Learned counsel for the petitioner submits that the learned Sessions Judge has rejected the prayer for bail of the petitioner only on assumption of certain facts and circumstances which are opposed to the case of prosecution.

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

Considering the facts and circumstances of the case whereunder the marriage is said to be 20 years old and the son and daughter of the deceased all have stated that the deceased has committed suicide, 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 Chief Judicial Magistrate, Sitamarhi in connection with Bairginia P.S. Case No. 261 of 2017, subject to the conditions U/S 437(3) Cr.P.C.

(Rajeev Ranjan Prasad, J)

Arvind/-
Ved/Saurabh/-

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