

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.45963 of 2018

Arising Out of PS.Case No. -13 Year- 2018 Thana -MAIGRA District- GAYA

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Kaushlendra Kumar @ Guddu, son of Bharat Das, resident of Village-
Pachmah, P.S. Maigara, District- Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Praveen Prakash, Advocate.

For the Opposite Party : Mr. Amrendra Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 13-09-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since
29.04.2018 in a case for the offence registered under Sections 302
and 201 of the IPC.

The prosecution story, in brief, is that the marriage of
the daughter of the informant, namely, Nishu Kumari was going to
be held on 27.04.2018 and earlier the petitioner had threatened to
Nishu Kumari that if she will not marry with him, he will not let
her *Barat* come in her house. It is further alleged that on
26.04.2018 *Matkor Ceremony* was held at the house of the
informant and his younger daughter Babli Kumari, aged about 07
years, was sleeping outside of the house. The informant and his
family members sent to *Matkor Ceremony*, in the meantime,



someone took away his younger daughter and committed murder at *Dokari Drain*. Next day, on hullah, the informant saw the dead body of Babli Kumari near the drain. The informant suspected that this occurrence might have been committed by the petitioner.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. There is no eye witness to the alleged occurrence nor there is circumstantial evidence to suggest the implication of the petitioner in the present case. Merely on the basis of suspicion, the petitioner has been made accused in the present case.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on 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 J.M. Ist Class, Sherghati, Gaya, in connection with Maigara P.S. Case No. 13/2018.

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(Sudhir Singh, J)

