

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49893 of 2018

Arising Out of PS.Case No. -94 Year- 2018 Thana -BAJPATTI District- SITAMARHI

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1. Shyam Singh @ Shyam Babu Singh S/o Late Binda Prasad Singh, R/o
Vill.- Bangaon, P.S.- Bajpatti, District- Sitamarhi.

.... Petitioner/s

Versus

1. 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. Chaubey Jawahar, A.P.P.

For the informant : Mr. Devendra Kumar, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 01-10-2018 Heard learned counsel for the petitioner, learned
counsel for the informant and State.

The petitioner seeks bail in Bajpatti P.S. Case No. 94
of 2018 instituted for the offence under Sections 302, 201 and
120B of the Indian Penal Code.

Counsel for the petitioner submits that in the First
Information Report occurrence is alleged to have taken place on
14.4.2018, 15.4.2018 and 16.4.2018, but no written report before
police has been filed by the informant or by her husband during
that period. Counsel for the petitioner further submits that dead
body of husband of the informant was found in Nepal on
21.4.2018. The informant along with her *Dewar* Dhanpat Sah
went there. Thereafter, Dhanpat Sah gave statement before Police



of Jaleshwar Police Station in Nepal, on the basis of which, U.D. case was registered.

The postmortem of the deceased was done in Nepal. In the post mortem report the Doctor has found no external injury except hanging. Postmortem report has been enclosed as Annexure-4. Thereafter, the informant has again filed instant case in India on 22.4.2018 levelling allegation against the petitioner that he along with other accused persons assaulted husband of the informant and committed his murder. Petitioner is in custody since 23.04.2018.

Counsel for the petitioner submits that petitioner has been falsely implicated in the case because he is husband of Sarpanch of the Panchayat namely Asha Devi, who had taken a decision against husband of informant (since deceased) with regard to non-delivery of grains to the co-accused Dilip Singh.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi, in connection with Bajpatti P.S. Case No. 94 of 2018, subject to the condition that both the bailors will be



the close relatives of the petitioner.

S.Ali/-

(Sanjay Priya, J)

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