

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20154 of 2019

Arising Out of PS. Case No.-12 Year-2018 Thana- ATHMALGOLA District- Patna

Meghan Kumar @ Meghan Rai, son of Sri Bhalar Rai, Resident of Village-
Dakshinichak P.S.- Athmalgola, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Ajay Kumar Thakur, Advocate. Mr. Malay Kumar Choudhary, Advocate. Mr. Pravin Kumar, Advocate.
For the Opposite Party/s :	Mr. Sanjay Kumar Sharma, APP.

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

4 17-06-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered under Sections 302, 201 and 120B/34 of the Indian Penal Code.

Informant is said to be wife of the petitioner who subsequently developed some illicit relationship with one Sunita Devi and performed marriage with her and started residing with her in Patna. Petitioner forcibly took his both sons (sons of the informant) to Patna and got them admitted in a boarding school at Danapur. Informant was not allowed to meet her sons. On 12.01.2018, dead body of one of her sons namely Shobhit Kumar was brought in the village on tempo by



the second wife of the petitioner namely Sunita Devi and other accused persons including Nitish Kumar and leaving the dead body there they managed to escape. Petitioner is said to have committed murder of the son of the informant hatching conspiracy with other accused persons.

It is submitted by learned counsel for the petitioner that the petitioner has no concern with the aforesaid occurrence. As a matter of fact, petitioner got his two sons (sons of the informant) admitted in a boarding school at Danapur. He is in Army and was residing in Delhi at the relevant time. One of his sons namely Shobhit Kumar died due to ailment and co-accused Sunita Devi and others including Nitish Kumar brought the dead body of the aforesaid son of the petitioner in the village of the informant and on getting information of the death of his son, petitioner also rushed there. There is no eye witness of the occurrence. He has been falsely implicated in the case merely on suspicion. Co-accused namely Nitish Kumar who is said to have brought the dead body of the deceased in the village of the informant has been enlarged on bail by a co-ordinate Bench of this Court vide order dated 19.11.2018 passed in Cr. Misc. No. 67803 of 2018.

Having regard to the facts and circumstances of the



case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Barh, Patna in connection with Athmalgola P.S. Case No. 12 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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