

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28549 of 2019

Arising Out of PS. Case No.-2 Year-2019 Thana- KANHAULI District- Sitamarhi

Ram Udesah Sah @ Ram Pravesh Sah @ Ramadesh Sah Son of Late Jagdish Sah Resident of Village - Bhadsar, P.S.- Kanhauli, Dist.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Renu Kumari

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 05-07-2019 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner has prayed for bail in connection with Kanhauli P.S. Case No. 02 of 2019 registered for the offence under Section 302/34 of the Indian Penal Code.

As per the allegation in the FIR, it is stated that the informant received information on his mobile that his daughter had been strangled to death. On reaching his daughter's place, he found black mark around her neck.

It is submitted by learned counsel for the petitioner that the allegations as made in the FIR are false. The petitioner was not present in the house at the time of unfortunate incident, which is also evident from the petition filed on behalf of the informant on 30.03.2019 in the court below which has been brought on record as Annexure-2 to the application. It is further



submitted that the doctor who conducted postmortem disclosed his opinion that the death was due to asphyxia and on coming to know about the occurrence, the petitioner immediately came home on 05.01.2019 and was taken into custody. He has no criminal antecedent.

The application for bail is opposed by the learned APP for the State submitting that petitioner happens to be the husband of the deceased, he is named in the FIR and there is direct allegation against him.

Having heard the learned counsel for the parties and considering the fact that the father of the deceased himself filed a petition in the court below to the effect that his daughter committed suicide as also the fact that petitioner is in custody since 05.01.2019, this Court is inclined to grant bail to the petitioner. The above named petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned C.J.M., Sitamarhi in connection with Kanhauli P.S. Case No. 02 of 2019.

(Partha Sarthy, J)

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