

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81768 of 2019

Arising Out of PS. Case No.-82 Year-2019 Thana- PURNEA SADAR District- Purnia

Godha Rishi Son of Late Soren Rishi Resident of Village - Pach Katiya
Chandan Nagar, Mushari Tola, P.S.- Sadar, District - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Sinha

For the Opposite Party/s : Mr.Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 11-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of bail in a case registered for the offence under sections 302, 201 and 34 of the Indian Penal Code.

As per the allegation in the FIR, the informant learnt on 11.02.2019 at 11.00 pm that his brother had been killed and his body has been thrown in Musahari tola. It is further stated in the FIR that the informant is convinced that Ganesh Kamti and Sharvan Rishi are involved in killing of his brother.

It is submitted by learned counsel for the petitioner that the petitioner was not named in the FIR and his name transpired in course of investigation. It is further submitted that his wife was also made accused in the instant FIR and she has been granted bail by order dated 19.07.2019 passed in Cr. Misc. no. 35869 of 2019. Further, from perusal of the said order dated 19.07.2019 it would transpire that during investigation dog



squad after smelling the cloth of the deceased came to the house of the petitioner and stayed there for five minutes and on that basis the petitioner and his wife had been arrested in this case. It is further submitted that there is no recovery of any incriminating article from the possession of the petitioner, the petitioner is in custody since 16.02.2019 and has no criminal antecedent.

The application for bail has been opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the nature of allegation, grant of bail to the co-accused, the petitioner being in custody since 16.02.2019 and having no criminal antecedent, the Court is inclined to enlarge the petitioner on bail. Let the petitioner, above named, be enlarged on bail on his furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 3rd Addl. Sessions Judge, Purnea in connection with Purnea Sadar P.S. Case No. 82 of 2019.

(Partha Sarthy, J)

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