

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4003 of 2020

Arising Out of PS. Case No.-634 Year-2019 Thana- BIHTA District- Patna

UMESH RAM Son of Late Ayodhaya Ram Resident of Village - Mathurapur
Tola, P.S. - Bihta, District – Patna ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr.Ashok Kumar Sinha, Advocate
For the Opposite Party : Mr.Uday Chand Prasad, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-01-2020 Heard learned counsel for the parties.

Petitioner is an accused in a case registered for the offence punishable under sections 302,201/34 of the Indian Penal Code.

It is said that the police recovered a dead body of 10 years old girl Rekha Kumari, daughter of one Kameshwar Ram. In course of investigation, it was disclosed that the accused persons with the aid of the petitioner committed the alleged crime. Petitioner also confessed his guilt.

Learned counsel for the petitioner submits that in fact said Kameshwar Ram, who is brother of the petitioner, had developed illicit relation with his daughter-in-law which was being objected by the deceased and it is said that said Kameshwar Ram might have killed his daughter. Petitioner is no way concerned with the alleged killing, rather at best he may be said to have helped in concealing the dead body. Thus, if this allegation is taken to be true, only offence under section 210 IPC is made out against him. Petitioner has got no criminal antecedent and he is in custody since 5.7.2019. Similarly situated co-accused have already been allowed pre-arrest bail



by a bench of this Court vide order dated 20.11.2019, passed in Cr.Mis.No. 64896/2019.

In view of the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner, mentioned above, 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 the Additional Chief Judicial Magistrate 1, Danapur, Patna in Bihta Police Station Case No. 634 of 2019, on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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