

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11471 of 2020

Arising Out of PS. Case No.-279 Year-2019 Thana- SAHPUR District- Patna

RAJ KUMAR @ RAJ KUMAR GUPTA S/o Krishna Saw Resident of
Village- Sikandarpur, P.S.- Shahpur, Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prashant Kumar
For the Opposite Party/s : Mr.Murli Dhar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-02-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the offences under Sections 302, 201 and 34 of the Indian Penal Code.

The prosecution case in short is that the accused persons tortured the informant and caused death of her daughter.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 17.7.2019. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. The petitioner has falsely been implicated in the present case. As per the F.I.R., the deceased was done to death by way of strangulation. The post-mortem report does not indicate any



case of strangulation. The port-mortem report does not support the allegation made in the F.I.R. Subsequently, the informant was examined in course of trial where she has retracted from the earlier statement made in the F.I.R.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-I, Danapur, Patna in connection with Shahpur P.S. Case No. 279/2019.

(Sudhir Singh, J)

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