

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26392 of 2020

Arising Out of PS. Case No.-368 Year-2019 Thana- GHOSI District- Jehanabad

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Pintu Sharma @ Pintu Kumar, aged about 40 years, Male, Son of Late Mahesh Prasad Sharma, Resident of Village- Okri Jaitpur, P.S.- Okri (Ghoshi), District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramakant Sharma

For the Opposite Party/s : Mr. Zainul Abadin

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 11-12-2020 Heard Mr. Ramakant Sharma, learned senior counsel for the petitioner and Mr. Zainul Abadin, learned Additional Public Prosecutor appearing for the State through video conferencing.

Petitioner apprehends arrest in connection with Ghoshi (Okri) P.S. Case No. 368 of 2019 registered for the offence punishable under Section 302 / 201 / 120(B) / 34 of the IPC.

The allegation as per the First Information Report is that while the informant was at Delhi along with her husband and her younger daughter she came to know that her elder daughter, aged about 22 years was missing from the parental home where she was studying in Okri College in B.Sc. and was also teaching in Govindpur Park Public School. It has further been alleged that the other family members of the informant did not give any cogent reason about the missing of her daughter and upon enquiry by the brother of the informant they abused.



The informant has raised suspicion that petitioner and other family members might have killed the daughter of the informant and has disposed the dead body.

Learned senior counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged and he is the brother- in- law (devar) of the informant. Learned counsel further submits that the victim girl was residing in the village home along with uncles and aunts for the purpose of studies and she got missing from the house and the entire family members have been made accused by the informant on the basis of suspicion only. Learned counsel further submits that the victim girl has had love affair with somebody and she has eloped with her lover and did not return. The informant has filed a petition before the court of learned Sub Judge - 1st - cum- ACJM, Jehanabad stating therein that after coming to know about the fact that her daughter was having love affair with somebody and she has fled with her lover the aforesaid petition was filed. Learned counsel further submits that three brother-in-law (devar), three sister-in-law (gotni) and husband have been made accused in this case by the informant.

Having regard to the submissions made by the parties and taking into consideration the materials available on record



and the fact that the petitioner has been implicated in this case merely on the basis of suspicion and no material has come against the petitioner to connect the petitioner with the present offence, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, in the event of arrest or surrender before the court below within six weeks from today, petitioner, above named, shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Judge- 1st -cum- ACJM, Jehanabad / court concerned in connection with Ghoshi (Okri) P.S. Case No. 368 of 2019, subject to the condition as laid down under Section 438 (2) of the Code Of Criminal Procedure.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

praful/-

(Anil Kumar Sinha, J)

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