

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86154 of 2019

Arising Out of PS. Case No.-285 Year-2019 Thana- DHAMDAHA District- Purnia

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1. Ramesh Sah, aged about 52 years, male, S/o Late Domi Sah.
 2. Shanti Devi, aged about 45 years, female, W/o Suresh Sah.
 3. Subodh Sah, aged about 21 years, male, S/o Suresh Sah.
 4. Pinku Sah @ Pinku Kumar, aged about 22 years, male, S/o Jongender Sah.
- All R/o village - Damgara, P.S. - Dhamdaha, District – Purnia.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivnandan Sah, Adv.

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 18-06-2020 Heard Mr. Shivnandan Sah, learned counsel for the

petitioners and Mr. Ram Priya Sharan Singh, learned APP for

the State.

The petitioners seek bail in anticipation of their

arrest in connection with Dhamdaha P.S. Case No. 285 of

2019, dated 09.09.2019, instituted for the offences under

Sections 302 and 201/34 of the Indian Penal Code.



Petitioner No. 1 is the younger brother of the husband of the deceased, whereas petitioner No. 2 is the third wife of the husband of the deceased. Petitioner No. 3 is the son of petitioner No. 2, whereas petitioner No. 4 is a co-villager.

It has been urged on behalf of the petitioners that a peculiar case has been lodged by the mother of the deceased in which she has alleged that the deceased was kidnapped by one Suresh Sah. In order to put a quietus to the dispute, he also married her but that marriage was not to the liking of the family members of the informant. Two children were also born-out of the wedlock. However, later, the husband of the deceased married for the third time and has children with his third wife as well. For quite some time, the informant did not know the whereabouts of his daughter and on enquiry, no satisfactory answer was either given to her or to others who had gone to the house of the deceased to inquire about her. It was suspected, therefore, by the informant that the deceased has been done to death.

Learned counsel for the petitioners has submitted



that no doubt, there is no trace of the deceased, but the investigation reports reveal that the deceased was suffering from disease for which she was being treated. Apart from this, the informant is not an eye-witness to the occurrence nor anything specific has been alleged against anyone of the petitioners.

Considering the aforesaid facts, the petitioners above named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with Dhamdaha P.S. Case No. 285 of 2019, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

Praveen-II/-

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