

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85023 of 2019

Arising Out of PS. Case No.-359 Year-2019 Thana- BARHARIA District- Siwan

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VISHESH SONI @ VISHESH KUMAR @ VISHESH KUMAR SONI Son
of Gopal Soni @ Gopal Sah Resident of Village- Lakadi Dargah, P.S.-
Barharia, Distt- Siwan

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh, Adv.

For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 18-03-2020 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for bail in connection with
Barharia P.S. Case No. 359 of 2019 registered for the offence
punishable under sections 302 and 120B of the Indian Penal
Code.

As per allegation in the FIR, eight year old daughter
of the informant went missing and after intense search carried
out by the informant and others, her dead body was found in an
abandoned house belonging to one Ramesh Soni. It is stated by
the informant that on earlier occasion, there had been
differences between the informant and the petitioner at which
time the petitioner had threatened that he would kill all his



family members. It is stated by the informant that he is fully convinced that the occurrence has been given effect to by the petitioner and others.

It is submitted by learned counsel for the petitioner that from perusal of the FIR itself it would transpire that besides a vague and unsubstantiated suspicion raised by the informant in the FIR, there is no material against him nor has any material transpired in course of investigation. It is further submitted that petitioner has no connection with Ramesh Soni, in whose abandoned house, the dead body of the informant's daughter was recovered. He is in custody since 06.10.2019 and has no criminal antecedent.

It is submitted by learned counsel for the informant that there is strong suspicion against the petitioner and it is as a result of the differences and threat that the actual occurrence has been carried out by the petitioner leading to the death of the daughter of the informant. It is further submitted that the petitioner is named in the FIR and the instant application may be rejected.

Having heard learned counsel for the parties and taking into consideration the allegation that has come in the FIR together with the material that has transpired in course of



investigation which is only in nature of suspicion, the petitioner being in custody since 6.10.2019, having no criminal antecedent, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Barharia P.S. Case No. 359 of 2019 on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Siwan.

(Partha Sarthy, J)

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