

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30115 of 2020

Arising Out of PS. Case No.-200 Year-2018 Thana- HASANPUR District- Samastipur

KUSHESHWAR DAS Son of Late Durgi Das Resident of Village- Bujurg
Dwar Khanpur, P.S.- Khanpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surya Narayan Roy
For the Opposite Party/s : Mr. Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 12-01-2021 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioners seek regular bail in connection with Sessions Trial No. 150 of 2020, arising out of Hasanpur Police Station Case No. 200 of 2018, registered for the offence punishable under Sections 302/201/120-B of the Indian Penal Code.

The prosecution case, as per the First Information Report, is that on 20.09.2018, at 3 PM, the daughter of the informant, namely, Nandani Kumari, aged about 4 years (now, deceased) was playing with other children and she did not return by 6 PM. Upon search, the informant came to know that the deceased had gone to the house of the petitioner and when the informant went to the petitioner, the petitioner told the



informant that the deceased would come tomorrow by 5 PM, but in the next morning, the dead body of the deceased was found.

Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case due to oblique motive. He further submits that on the basis of suspicion only, the petitioner has been implicated in this case. He further submits that no material has come in course of investigation to connect the petitioner with the alleged offence and only one of the witnesses has said that on the date of occurrence, the petitioner was seen in the village of the petitioner. He further submits that the petitioner is in custody since 27.12.2019 and charge sheet has been submitted against the petitioner.

Having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that the petitioner is in custody since 27.12.2019 and charge sheet has already been submitted against the petitioner and there is no apprehension that the petitioner will abscond or tamper with the evidence, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, namely, Kusheshwar Das, be released on bail, upon furnishing bail bond of Rs. 10,000/- (ten



thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge, Samastipur in connection with Sessions Trial No. 150 of 2020, arising out of Hasanpur Police Station Case No. 200 of 2018.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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