

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35368 of 2020

Arising Out of PS. Case No.-40 Year-2019 Thana- SARMERA District- Nalanda

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SANDEEP KUMAR, SON OF PAGO BIND RESIDENT OF VILLAGE -
AZIMGANJ, P.S. - LADAIYA TAND DISTRICT - MUNGER

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Sr. Advocate
For the Statge	:	Mr. Parmeshwar Mehta, APP
For the Informant	:	Mr. Bhaskar Shanker, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 01-02-2021 Heard Mr. Ramakant Sharma, learned Senior Counsel for the petitioner, Mr. Parmeshwar Mehta, learned Additional Public Prosecutor for the State and Mr. Bhaskar Shanker, learned counsel appearing for the informant.

This application, for grant of regular bail, arises out of Sarmera Police Station Case No. 40 of 2019, disclosing offences under Section 302/34 of the Indian Penal Code.

The allegation, as per the First Information Report is that daughter of the informant had gone to attend nature's call on 15.03.2019 at 4:00 A.M. in the morning but she did not come. On the same day at about 7:30 A.M. the informant received information that dead body of his daughter was lying in the field having cut injury on her neck.



Learned senior counsel for the petitioner submits that the petitioner has falsely been implicated in this case on suspicion only. Learned counsel next submits that the FIR is very specific that daughter of the informant had left her house 4:00 A.M. in the morning and at about 7:30 A.M. in the morning, the informant got information regarding death of his daughter but subsequently, the informant changed his version and during course of investigation, a new story has been introduced saying that the petitioner had telephonic conversation with the deceased and the deceased had left her house at about 7:30 P.M. in the evening and in the morning, her dead body was found in the field. Learned senior counsel next submits that the fact of the matter is that the daughter of informant had solemnized love marriage with the petitioner in the year 2018 and it was not to the liking of the informant and there may be a possibility of honour killing of his daughter by the informant who is trying to frame the petitioner on false and concocted story.

On the other hand, learned counsel for the informant as well as State vehemently oppose the prayer for bail and submit that the call data record of the mobile of the petitioner clearly manifests that the petitioner had a talk with the



deceased in the previous night and she had left her house while talking to the petitioner and on the next day, her dead body was found in the field.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the fact that the petitioner is in custody since 23.12.2019 and the chargesheet has already been submitted in this case, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, Sandeep Kumar, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Biharsharif, in connection with Sarmera Police Station Case No. 40 of 2019.

(Anil Kumar Sinha, J)

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