

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36969 of 2020

Arising Out of PS. Case No.-188 Year-2019 Thana- KORHA District- Katihar

=====

JATAYO RISHI @ JATAYU RISHI @ GULABI RISHI Son of Biranchi Rishi
Resident of Village- Korha Nursary Tola, P.S.- Korha, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Bimal Kumar

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

=====

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 20-02-2021

Heard learned counsel for the parties.

This application for regular bail arises out of Korha P.S. Case No. 188 of 2019, disclosing offence punishable under Sections 302, 201/34 of the Indian Penal Code.

The petitioner is elder brother of the husband of the deceased. Mother of the deceased is the informant. The FIR discloses that there is property dispute between the husband of the deceased and his two brothers including this petitioner. According to the FIR, the informant has received information from the husband of the deceased on 24.05.2019 that the deceased was traceless from 21.05.2019. Subsequently, her dead body was found lying in a desolate place on 26.05.2019.

Learned counsel appearing on behalf of the petitioner



has submitted that, evidently, suspicion is said to be the only basis for implication of the petitioner. She has further submitted that lodging of FIR on 26.05.2019, when the deceased had become traceless on 21.05.2019, itself makes the entire case of the prosecution doubtful. She has further submitted that the petitioner has been maliciously implicated because of the property dispute in the family.

On perusal of FIR, I find substance in submission made on behalf of the petitioner, who is in custody since 05.07.2020.

Considering the above, this application is allowed. Let the petitioner, above-named, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand), with two sureties of the like amount, each to the satisfaction of learned Chief Judicial Magistrate, Katihar, in Korha P.S. Case No. 188 of 2019.

(Chakradhari Sharan Singh, J)

Rajesh/-

U		T	
---	--	---	--

