

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10156 of 2021

Arising Out of PS. Case No.-23 Year-2020 Thana- PURAINI District- Madhepura

Yogendra Sharma S/o Late Dhalo @ Dhallo Sharma Resident of Village-Orai,
P.S.-Puraini, District-Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamal Kishore Jha, Adv.

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 20-07-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State through video
conferencing.

The petitioner has filed the instant application for
grant of regular bail in connection with Puraini P.S. Case no. 23
of 2020 registered under sections 302, 201 and 34 of the Indian
Penal Code.

As per allegation in the FIR lodged by the Chowkidar,
it is stated that the dead body of the daughter of the petitioner
was recovered. He further states that because of the deceased
not being of a good character, she was killed and an attempt was
made to destroy the evidence.

It is submitted by learned counsel for the petitioner
that the petitioner happens to be the unfortunate father of the
deceased. He has been falsely implicated in the case.



Admittedly, there is no eye witness to the occurrence. Referring to the order of the learned Court below rejecting the application for bail of the petitioner, it is submitted that it has come in course of investigation that she had committed suicide and that attempt was made to destroy the evidence. Although not true, even if the same is accepted, it is submitted that section 201 of the Indian Penal Code is a bailable. The petitioner is in custody since 23.9.2020, investigation in the case has concluded and he has no criminal antecedent.

The application for bail is opposed by learned Additional Public Prosecutor for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the petitioner being in custody for more than 9 months, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Puraini P.S. Case no. 23 of 2020 on furnishing bail bond of Rs. 10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate- 2nd, Udakishunganj.

Bibhash

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(Partha Sarthy, J)

