

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36956 of 2021

Arising Out of PS. Case No.-210 Year-2020 Thana- MANIGACHI District- Darbhanga

Shankar Chaupal son of Shyam Chaupal Resident of Village - Narpatnagar
Photlaha O.P. Bhalpati, P.S. - Sakri, District - Darbhanga.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar

For the Opposite Party/s : Mr.Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6. 25-01-2022 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Manigachhi P.S. Case No. 210 of 2020, registered for the offence under Section 302/34 of the Indian Penal Code.

As per the F.I.R., daughter of the informant had love affairs with petitioner and it is alleged that on 03.09.2020 at about 3:00 PM, this petitioner took away the daughter of the informant and thereafter, all the F.I.R. named accused persons including this petitioner killed the daughter of the informant. On 04.09.2020 at 11 AM, some labourers informed the informant that dead-body of his daughter is hanging on a mango tree in the orchard.



It is submitted on behalf of petitioner that it is a case circumstantial evidence. It is further submitted that from bare perusal of F.I.R., it is apparent that there was love affairs between petitioner and deceased and there could not be any motive to the petitioner to commit murder of his own love. Moreover, it has come that on 04.09.2020, the deceased girl was seen talking to her uncle and fufa in the CCTV footage near her house and only on suspicion, this petitioner has been made accused. Petitioner is in custody since 14.01.2021.

Learned A.P.P. for the State has opposed the bail petition and submitted that there is direct evidence against this petitioner. From the inquest report, the deceased had injuries on both hand and leg and it is not a case of hanging, rather she (daughter of informant) has been murdered.

Considering the rival submissions of the parties and the materials collected during course of investigation, which does not suggest the complicity of the petitioner in the aforesaid crime, the bail petition of petitioner is allowed.

Let the above named petitioner 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 Additional Chief Judicial Magistrate Vth, Darbhanga in



connection with Manigachhi P.S. Case No. 210 of 2020.

(Prabhat Kumar Singh, J)

anay/-

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

