

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50918 of 2021

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

Jugnu Rishi @ Santosh Rishi S/O Biranchi Rishi R/O 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. Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 09-05-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the offences punishable under Sections 302, 201/ 34 of the Indian Penal Code.

The learned counsel for the petitioner submits that the petitioner is in custody since 26.02.2020, he is a person with clean antecedent and charge-sheet has been submitted in this case.

Allegation against this petitioner is that he along with his brother used to assault the deceased (informant's daughter) on account of land dispute. The husband of the deceased informed on 21.05.2019 that the deceased is traceless. It is further alleged that her dead body was recovered on 26.05.2019.



The learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. He is brother-in-law of the deceased and co-accused Jatayo Rishi @ Jatayu Rishi @ Gulabi Rishi has been granted bail by order dated 20.02.2021 in Cr. Misc. No.36969 of 2020. The learned counsel further submits that the date of occurrence is 21.05.2019 and the F.I.R. was instituted on 26.05.2019 i.e. after a delay of five days without any plausible explanation.

It is thus submitted that the informant was aware that his daughter is traceless since 21.05.2019, then why he did not institute an F.I.R. promptly. The fact that the F.I.R. came to be instituted after an inordinate delay creates suspicion with regard to the prosecution.

Learned A.P.P. opposes the bail application.

Considering the fact that the petitioner is in custody, he is a person with clean antecedent, charge-sheet has been submitted in this case and taking into consideration the submission made by the learned counsel for the petitioner, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in



connection with Korha P. S. Case No.188 of 2019.

The application stands allowed.

(Satyavrat Verma, J)

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