

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56987 of 2021

Arising Out of PS. Case No.-37 Year-2021 Thana- DINARA District- Rohtas

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SHAMBHU PANCHERI @ SHAMBHU TATO Son of Late Hari Kishun Tato
Resident of Village- Saisad, P.S.- Dianara, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Rajendra Narayan, Sr. Adv.
		Mr. Dineshwar Tiwary, Adv.
For the Opposite Party/s :		Ms. Madhuri Lata, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 10-05-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302 and 34 of the Indian Penal Code.

As per the prosecution case, it is stated by the informant that he received information about the murder of his daughter. On reaching the house of his daughter, he was informed by his granddaughter (daughter's daughter) that it was the petitioner and one another who had taken the daughter of the informant leaving behind the children at home and soon thereafter her dead body was found.

It is submitted by learned senior counsel appearing for the petitioner that from the F.I.R. itself, it would be evident



that there is no eye witness to the occurrence. Only an unfounded and unsubstantiated suspicion has been raised against the petitioner. No independent witness has supported the allegation. At best the allegation against the petitioner is of last seen. The petitioner is in custody since 2.3.2021 and has no criminal antecedent.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the allegation in the F.I.R. to the effect that it was the daughter of the deceased who disclosed that soon after her mother was taken by the petitioner and one another that her dead body was recovered, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Liberty is granted to the petitioner to renew his prayer for bail after framing of charge.

(Partha Sarthy, J)

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