

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59734 of 2021

Arising Out of PS. Case No.-108 Year-2021 Thana- KOTWA District- East Champaran

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Lakhindra Ram @ Lakhi Ram Son of Late Indrajeet Ram Resident of Village
- Bathana, Police Station - Pipra Kothi, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 28-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Kotwa
P.S. Case No. 108 of 2021 registered for the offence under
Sections 302, 201 and 34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in



custody since 28.04.2021.

The allegation against the petitioner is to commit murder of his daughter, as per the version of informant, who is the A.S.I. of local police station.

Learned counsel appearing on behalf of the petitioner submitted that petitioner is the father of the deceased and has been falsely implicated in this case for no reason. It has further been submitted that the name of the petitioner surfaced on the basis of suspicion of officer incharge, who received information from some unknown persons/police spy, informed the patrolling party and, subsequently, the dead body of the deceased was recovered from an open field, from where a rope of nylon and saree tightened around the legs were recovered. It has further been submitted that the petitioner himself is a victim of circumstances and the deceased/daughter admittedly left the house out of her anger and she was killed by unknown. While concluding the argument, it has further been submitted that it is not a case where any presumption can be drawn against the petitioner, as the dead body of deceased/daughter was found from an open place, far away from the house of the petitioner, moreover, chargesheet has already been submitted in this case, as such, there is no chance of tampering of evidence.



Learned APP appearing on behalf of the State while opposing the prayer of bail conceded the fact that the dead body of the deceased was recovered from an open field.

Considering the facts and circumstances as mentioned above, as the deceased/daughter, admittedly, left the house without giving any information to the petitioner, coupled with the fact that dead body of the deceased was recovered from an open field, far away from the house of the petitioner, let the petitioner, above named, is directed to be released on bail in connection with Kotwa P.S. Case No. 108 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari, subject to the following conditions:

“(i) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.



(ii) That one of the bailors shall be
Kalawati Devi, who is the mother of the
petitioner and deponent of the present bail
petition.”

(Chandra Shekhar Jha, J)

Ankit/-
Shashank/-

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