

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61082 of 2021**

Arising Out of PS. Case No.-7 Year-2021 Thana- BATH District- Bhagalpur

Jhako Sah S/O Late Bishundeo Sah @ Biso Sah R/O Village-Unchagaon, P.S-Bath, District-Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar, Advocate

For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 21-03-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Bath P.S.
Case No. 7 of 2021 instituted for the offences under Sections
302, 201 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 22.05.2021, is a person with clean
antecedent, charge-sheet has been submitted in the case and is
aged about 75 years.

Learned counsel for the petitioner submits that the
informant alleges that his daughter (deceased) performed love
marriage with Raju Kumar, further the husband took informant's
daughter to Gwalior, where she came to know that he was
married from before, on account of which the relationship



soured. It is further alleged that the husband used to give informant's daughter sleeping pills and kept her confined in a room, further the informant's daughter used to request the petitioner and others to bring her back to the matrimonial home but they were not ready rather used to abuse her. Further, it is alleged that the deceased informed the informant on 14.01.2021 that she along with her husband have reached Sultanganj where the petitioner and other family members are coming to receive them, further on 15.01.2021, the informant tried to contact her daughter but her mobile was switched off and on 16.01.2021, the Nath Nagar Police Station showed a photograph of a lady to the son of the informant who identified the deceased as his sister, thus alleges that the accused persons including the petitioner killed his daughter.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case merely because he is father of Raju Kumar. It is further submitted that admittedly the deceased and Raju Kumar had performed a love marriage and as such the family of Raju Kumar was against the marriage and hence they were not willing and ready to call the deceased from Gwalior to their place. Learned counsel further submits that in the F.I.R. the informant alleges that the deceased



along with her husband had come to Sultanganj where the petitioner along with his family members had gone to receive the couple but subsequently her dead body was found. Learned counsel further submits that entire allegation hinges around suspicion, the informant is not an eye-witness to the occurrence and merely because petitioner is the father of Raju Kumar, as such he has been implicated in the present case.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody, is a person with clean antecedent, charge-sheet has been submitted in the case, is aged about 75 years and the entire allegation hinges around suspicion, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-13th Bhagalpur in connection with Bath P.S. Case No. 7 of 2021.

(Satyavrat Verma, J)

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