

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14487 of 2024

Arising Out of PS. Case No.-174 Year-2023 Thana- JANKINAGAR District- Purnia

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Kapesh Sahni @ Tapesk Kumar @ Keshav Son of Ramchandra Sahni @
Ramchand Sahni R/o Chakla, P.S.- Banmankhi, District- Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Singh, Advocate
For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 12-03-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Jankinagar P.S. Case no. 174 of 2023, registered under sections 302 and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states that she heard *halla* of murder of her daughter. On reaching the place of occurrence, she found that there was a rope around the neck of her daughter. Having got her postmortem conducted, the cremation took place. The informant further states that her daughter was having a love affair with the petitioner herein. The petitioner married elsewhere. This marriage was being opposed



to by her daughter. It is for this reason that the informant states that she suspects that the accused persons including the petitioner herein have a hand in her murder.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. Referring to the order of the learned trial Court, it is submitted that there is no eye witness to the occurrence. The cause of false implication of the petitioner is his being on friendly terms with the informant's daughter. The investigation in the case has concluded and charge-sheet was submitted under section 306 of the Indian Penal Code. The petitioner is in custody since 14.11.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner in the FIR, the contents of the order of the learned trial Court, charge-sheet having been submitted in the case under section 306 of the Indian Penal Code and the petitioner having remained in custody for 4 months since 14.11.2023, the petitioner is directed to be enlarged on bail in connection with Jankinagar P.S. Case no. 174 of 2023, on furnishing bail bond of



Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like
amount each to the satisfaction of the learned Chief Judicial
Magistrate, Purnia.

(Partha Sarthy, J)

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