

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27711 of 2015

Arising Out of PS.Case No. -205 Year- 2014 Thana -BALIA District- BEGUSARAI

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1. Kunal Kumar Singh S/o Pradeep Singh R/o vill. - Bhagatpur, P.S. Ballia, Distt. - Begusarai
..... Petitioner/s
Versus
1. The State of Bihar
..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey
For the Opposite Party/s : Mr. Smt.Sharda Kumari (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 02-11-2015

Heard learned counsel for the petitioner and learned

A.P.P. representing the State.

The petitioner seeks bail in connection with Ballia P.S. Case No. 205 of 2014 registered for the offences punishable under Section 304 'B'/34 of the Indian Penal Code.

Allegedly when the Chaukidar was on round duty in his Mahal, he heard rumor that daughter-in-law of Pradeep Singh has committed suicide by hanging herself in fan, and then went there and saw crowd of several persons and they were talking that Kabita Devi was being tortured and earlier also she tried to commit suicide. The marriage of Kabita Devi was solemnized two years ago with the petitioner and she was pregnant and husband, father-in-law and mother-in-law fled away.

Submission is of false implication and that during investigation it has come that the wife of the petitioner being pregnant, was not allowed to participate in *Mundan* ceremony of

her relative as there was paucity of money and then she committed suicide vide para 20, 21 and 22 of the case diary. Chargesheet has been submitted under Section 306 IPC and the petitioner is suffering in custody since 09.04.2015 after his surrender and, as such, he deserves sympathetic consideration as other co-accused have been allowed bail to which the learned A.P.P. opposes the prayer of bail but fairly submits that chargesheet has been submitted under Section 306 I.P.C.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Learned Chief Judicial Magistrate, Begusarai arising out of Ballia P.S. Case No. 205 of 2014 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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