

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51951 of 2015

Arising Out of PS.Case No. -3569 Year- 2009 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Arvind Kumar Singh son of Late Sudhist Narain Singh, Resident of
village- Satoawati, P.S.- Ramgarh (Nuaon), District- Kaimur at Bhabua

.... Petitioner/s

Versus

1. The State of Bihar

2. Rang Bahadur Roy, S/o Late Ganga Dayal Ray, resident of Text Book
Colony, Keshri Nagar, P.O.- Keshri Nagar, P.S.- Patliputra Town, District-
Patna, 800026

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Viveka Nand Singh

For the Opposite Party/s : Mr. Ram Sumiran Rai(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 16-12-2015 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner is husband of the victim Pinki Kumari and is
languishing in jail custody since 05-08-2015 in a complaint case,
in which, cognizance has been taken for the offences punishable
under Sections-498(A), 384, 380, 307, 494/34, 120(B) of the
Indian Penal Code.

It would appear from perusal of the record that earlier
petitioner was granted provisional bail for two months vide order
dated 20-05-2014 but he surrendered before the court on 05-08-
2015 and came before this court for grant of bail on the ground of
compromise.

This court while disposing of the aforesaid prayer vide order dated 07-08-2015 passed in Cr. Misc. No. 14195 of 2014 directed the trial court to verify the genuineness of the so-called compromise. In pursuant to direction of this court, the learned trial court verified the compromise and came to conclusion that the said compromise petition was not genuine document. It appears from perusal of order dated 07-09-2015 passed by the learned court below that the learned court below formed his opinion, regarding genuineness of the compromise petition on the ground that copy of aforesaid compromise petition was not served upon the complainant, who happens to be father of the victim. The victim has already died and the signature of the victim is not denied by the complainant before the court below.

Considering the aforesaid facts and circumstances of the case as well as submissions of the parties, let the petitioner named above, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Complaint Case No. 3569(C) of 2009 to the satisfaction of Smt. Suchiotra Singh, learned Judicial Magistrate-Ist Class, Patna.

(Hemant Kumar Srivastava, J)

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