

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50397 of 2015

Arising Out of PS.Case No. -118 Year- 2015 Thana -BIRPUR District- SUPAUL

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Kinsu Gupta Son of Rajendra Gupta, resident of village- Bisanpur Shivram,
P.S.- Balua Bazar, District- Supaul

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Arun, Advocate

For the Opposite Party/s : Mr. Bharat Lal (APP)

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 10-11-2015 Heard the parties.

The petitioner is in custody in connection with Birpur
(Balua Bazar) P.S. Case No. 118 of 2015 for offence punishable
under Sections 304B/34 of the Indian Penal Code.

Allegation against the petitioner and other accused is
of administering poison to the younger sister of the informant.

Mr. Arun, learned counsel for the petitioner with
reference to the FIR and the order passed by the court below
submits that the marriage took place in 2010, the date of death is
07.6.2015 and the FIR was instituted on 26.6.2015 and charges the
accused persons of administering the poison. It is stated that the
petitioner happens to be the younger brother of the husband of the
deceased and has absolutely no connection with the alleged death

and that except that he happens to be the younger brother of the husband of the deceased that he has been roped in the alleged death. With reference to the impugned order he submits that the statement recorded by the police during the course of investigation records divergent opinions for some of the villagers have also said that the deceased consumed poison herself.

Having heard learned counsel for the parties and considering the nature of accusation, the statements recorded as well as the relationship of the petitioner with the deceased, let the petitioner Kinsu Gupta be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sub Divisional Judicial Magistrate, Birpur (Supaul) in connection with Birpur (Balua Bazar) P.S. Case No. 118 of 2015 subject to the condition that the petitioner shall be present before the court below on each and every date fixed in the case and shall cooperate in the trial and his failure to be present on two consecutive dates without reasonable explanation to the satisfaction of the court below would confer liberty on the court concerned to cancel his bail bonds and take him into custody.

S.Sb/-

(Jyoti Saran, J)

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