

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2318 of 2015

Arising Out of PS.Case No. -138 Year- 2014 Thana -EKMA District- SARAN

Binod Pandey Son of Vishwakarma Pandey Resident of Village - Bheuli,
P.S- Ekma, District - Saran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

4 17-03-2015

Heard the learned counsel for the petitioner and
the learned A.P.P. for the State.

The petitioner seeks bail in a case for the offence
punishable under Sections 302 and 498-A of the Indian
Penal Code.

The allegation against the petitioner is to have
tortured the deceased and to have caused death of the
deceased by hanging her.

It is submitted by the learned counsel for the
petitioner that both were leading conjugal life happily. A
daughter, aged about 5 years, was born out their wedlock
and a baby was in the womb. There is no cause as to
why the petitioner would kill her. There is no evidence
to show that the petitioner has killed her. Only suspicion
has been raised against the petitioner. The post mortem
report shows that there was blackening mark around the
neck of the deceased. The petitioner has no criminal
antecedent and after investigation chargesheet has
already been submitted against the petitioner.

Learned counsel for the State submits that the post mortem report also shows that the cause of death is by hanging.

Considering the facts and circumstances of this case, the above-named petitioner is directed to 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 the learned Addl. Chief Judicial Magistrate, Saran at Chapra/court concerned in Ekma P. S. Case no. 138 of 2014 after framing of charge with the following conditions :

1. One of the bailors will be the close relative of the petitioner.
2. The petitioner will not indulge in similar or in any other offence.
3. The petitioner will be well represented in the court.
4. In case of absence for two consecutive dates or in violation of the terms of the bail, his bail bond will be liable to be cancelled by the court concerned.

(Amaresh Kumar Lal, J)

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