

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44167 of 2015

Arising Out of PS.Case No. -68 Year- 2012 Thana -BARURAJ District- MUZAFFARPUR

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1. Alok Kumar Singh @ Bablu Singh S/o Ram Chandra Singh R/o Village -
Noniadih, P.S. - Baruraj, District - Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Pd. Singh, Sr. Advocate
Mr. Vipin Kumar

For the Opposite Party/s : Mr. Parmeshwar Mehta(App)
Mr. Shashi Bhushan Pandey

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 04-01-2016 Heard learned Sr. Counsel for the petitioner, learned
counsel representing the State and learned counsel for the
informant.

The petitioner seeks bail in connection with Baruraj
P.S. Case No. 68 of 2012 registered for the offence punishable
under Sections 304B/34 of the Indian Penal Code.

Sunita Kumari the daughter of the informant was
married with the petitioner in the year 1999 and from that wedlock
there are two sons and one daughter but for dowry the petitioner
used to torture and assault his wife and due to non-fulfillment of
demand of motorcycle and cash the petitioner and others killed
her.



Submission is of false implication and that the petitioner was not present at the time of occurrence and he was at Delhi, the wife of the petitioner committed suicide due to some minor dispute and this fact has been stated by the eldest son of the deceased who was the first person who has come in the room and had seen his mother hanging vide paragraph 56 of the case diary and as such the petitioner who is suffering in custody since 27.07.2015 deserves sympathetic consideration, chargesheet has already been submitted and there is no chance of tampering with prosecution evidence. Co-accused Ram Chandra Singh the father of the petitioner has been allowed bail vide annexure-6.

Learned APP duly assisted by learned counsel for the informant opposes the prayer of bail but they are not in a position to controvert the statement of Vishal Kumar the eldest son of the deceased.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and there is no chance of tampering with prosecution evidence and the eldest son of the deceased has not supported the prosecution version, 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 learned S.D.J.M. (West)

Muzaffarpur in connection with Baruraj P.S. Case No. 68 of 2012, subject to the conditions that one of the bailors must be a 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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