

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.173 of 2016

Arising Out of PS.Case No. -28 Year- 2014 Thana -KAHALGAON District- BHAGALPUR

=====

Rajeev Singh @ Rajeev Kumar Ranjan @ Rajeev Kumar Singh son of
Shobhakant Singh, Resident of village- Sadanandpur Baisa, P.s.-
Kahalgaon, District- Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate

For the Opposite Party/s : Mr. Nand Kishore Pd.(App)

=====

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

5 26-02-2016

Heard learned counsel for the petitioner and learned

A.P.P. representing the State.

The petitioner seeks bail in connection with Kahalgaon
P.S. Case No. 28 of 2014 registered for the offences punishable
under Sections 304(B) and 201/34 of the Indian Penal Code.

Gita Devi, the niece of the informant was married to
petitioner in the year 2011 and due to non-fulfillment of demand
of additional dowry by way of motorcycle and colour T.V., she
was being tortured and assaulted and for that earlier case was
lodged but on the basis of compromise that case was dismissed. In
spite of that, the petitioner and other in-laws might have killed her
and her dead body has been made traceless.

Submission is of false implication and that the
petitioner is handicapped vide annexure-2, during investigation no

one has claimed that the wife of the petitioner was killed and there is only suspicion, the wife of the petitioner went away and it appears that she is living elsewhere. Other co-accused has been allowed bail and, as such, the petitioner also deserves sympathetic consideration, to which the learned A.P.P. opposes.

In the facts and circumstances stated above, considering that the petitioner has surrendered on 14.08.2015 voluntarily and there is no chance of tampering with prosecution evidence and, as such, 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 Sri. Anwar Shamim, learned Judicial Magistrate, 1st Class, Bhagalpur in connection with Kahalgaon P.S. Case No. 28 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)

sushma/-

U		T	
---	--	---	--