

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38611 of 2016

Arising Out of PS.Case No. -126 Year- 2016 Thana -KHUSRUPUR District- PATNA

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Bhola Singh, Son of late Ramchandra Singh, Resident of Village-
Mosimpur, Police Station Khushrupur in the District of Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

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

For the Opposite Party/s : Ms. Anita Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 19-11-2016

Heard both sides.

The petitioner seeks bail in Khushrupur P.S. Case
No. 126 of 2016 (G.R. No. 2218 of 2016) registered under Section
306 of the Indian Penal Code.

The father of the deceased lodged the case alleging
therein that his younger son Chhote Mistri was married with
Snehlata. He got three sons and one daughter but the character of
his daughter-in-law was not good as she had illicit relation with
one Pankaj Kumar and that is why his son committed suicide.

Learned counsel for the petitioner submits that the
petitioner is not named in the F.I.R. During the course of
investigation, Manish Kumar, son of the deceased, made
statements under Section 164 Cr.P.C. and disclosed that while he
woke up for urination, he saw that his mother was pressing the

mouth of his father with a pillow, Pankaj was assaulting his father and Bhola (the petitioner) was catching the legs of his father (the deceased). It is submitted that Pankaj Kumar has already been granted anticipatory bail by the learned Sessions Judge vide order dated 04.08.2016 passed in A.B.P. No. 4968 of 2016. The police did not record the statements of the son of the deceased and submitted the chargesheet under Section 306 of the Indian Penal Code. There is no other evidence to show the involvement of the petitioner.

Considering the facts that Pankaj Kumar, who had illicit relation with the wife of the deceased, has already been granted anticipatory bail and the case of the petitioner stands on better footing, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri A.K. Rai, Judicial Magistrate, 1st Class-cum-Addl. Munsif IV, Patna City in Khushrupur P.S. Case No. 126 of 2016 (G.R. No. 2218 of 2016).

(Prabhat Kumar Jha, J)

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