

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13790 of 2016

Arising Out of PS.Case No. -499 Year- 2015 Thana -BIHTA District- PATNA

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1. Saroj Singh Son of Sri Ram Singh @ Butan Singh Resident of Village-
Chaura, Gopalpur Police station Bihta, District Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Arun Kumar Singh 5 (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 11-05-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Bihta P.S.
Case No. 499 of 2015 registered for the offences punishable under
Sections 328 and 302/34 of the Indian Penal Code.

Arti Devi the daughter of the informant was married to
the petitioner on 24.04.2008 and allegedly, the petitioner and other
co-accused used to demand money from her and due to non-
fulfillment, she was administered poison by the petitioner and
other co-accused and when she was brought for treatment at Hi-
tech Hospital, she was declared dead.

Submission is of false implication and that there was
cordial relation between the petitioner and his wife, the petitioner



never demanded anything, due to some trivial dispute the wife of the petitioner consumed poison herself, this fact has been stated by the witnesses during investigation vide paras 21, 22, 65 and 66 of the case diary, the wife of the petitioner used to create tension herself, out of the wedlock there are three minor daughters, the petitioner being unemployed used to be assaulted by his wife and under tension the wife of the petitioner consumed poison. The DSP during supervision has also found this fact true and, as such, the petitioner deserves sympathetic consideration as he is suffering in custody since 06.11.2015. Chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The learned APP submits that the petitioner is the husband and other witnesses have supported the prosecution version.

In the facts and circumstances stated above, 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 the learned Addl. Chief Judicial Magistrate, Danapur in connection with Bihta P.S. Case No. 499/15 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)

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