

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56250 of 2015

Arising Out of PS.Case No. -53 Year- 2015 Thana -JAKKANPUR District- PATNA

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1. Abhishek Kumar S/o Ratneshwar Prasad Singh, Resident of Village-
Khalpura, P.S. Chapra Mufassil, District Saran at Chapra. at present
residing at Mohalla- Bampast Town (Bariyar Bandhi), P.S. Deoghar,
District- Deoghar, Jharkhand.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh

For the Opposite Party/s : Mr. Abhay Kumar Rai (App)

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

4 17-02-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner seeks bail in connection with Jakkanpur P.S.
Case No. 53 of 2015 registered for the offences punishable under
Sections 304B, 120B, 201/34 of the Indian Penal Code.

Ragini Kumari, the daughter of the informant, was
married to the petitioner in May, 2010 and allegedly, due to non-
fulfillment of demand of Rs. 5,00,000/- and further un-lawful
demand of father-in-law, the petitioner and other in-laws
strangled her to death and tried to get the evidence disappeared.

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



petitioner was also a working lady, from earlier she was suffering from migraine and her treatment was going on, she was treated by Dr. Vishwanath Kumar, Professor Neurology Department, IGIMS, Patna and also by Dr. Gopal Prasad Sinha, on the date of occurrence also she was suffering from pain and it appears that out of frustration she committed suicide. There is son out of the wedlock and all the family members were taking proper care of the wife of the petitioner, the medical prescription of Ragini Kumari were given to the I. O. vide paragraph 67 of the case diary and the petitioner who is suffering in custody since 13.02.2015 deserves sympathetic consideration as independent witnesses have specifically stated that they never heard any kind of dispute between the petitioner and his wife. There was no dispute with other family members also which is evident from paragraph 122 of the case diary. It is further submitted that father-in-law has already been allowed bail by another Bench of this Court vide Cr. Misc. No. 25716 of 2015 to which the learned APP opposes by submitting that the petitioner is the husband.

In the facts and circumstances stated above, considering the period of detention and further chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence, 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 Chief Judicial Magistrate, Patna in connection with Jakkanpur P.S. Case No. 53 of 2015, 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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