

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6368 of 2016

Arising Out of PS.Case No. -273 Year- 2015 Thana -KARAHGAR District- SASARAM (ROHTAS)

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Kameshwar Singh S/o Late Kishu Singh resident of Village - Sakhuan
(Karup), P.S. - Kargahar, District - Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Asha Devi(App)

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 12-04-2016 Heard learned counsel for the petitioner and learned

APP for the State assisted by learned counsel for the

informant appearing *suo motu*.

2. The petitioner apprehends his arrest for the
offences alleged under Sections 304(B), 201, 120B/34 of the
Indian Penal Code registered in connection with Kargahar P.S.
Case No. 273 of 2015.

3. It is submitted that the petitioner is the father-in-
law of the deceased lady and has been falsely implicated. No
overt act has been alleged against the petitioner and it is
evident from the FIR that the members of the deceased lady's
'*naihar*' had participated in the cremation. It is submitted
that the deceased lady has died by committing suicide.



4. Learned APP fairly states on the basis of para 13 of the case diary containing statement of independent witness Munmun Singh to the effect that the deceased being mentally ill had hanged herself and died. It is further stated that no blood stains were found during investigation at the place of occurrence as recorded in para 10 of the case diary.

5. Learned counsel for the informant appearing *suo motu* opposes the anticipatory bail petition submitting that the said witness happens to be a co-villager of the petitioner.

6. Having regard to the entirety of the facts and circumstances, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned A.C.J.M.-2, Sasaram, District Rohtas in connection with Kargahar P.S. Case No. 273 of 2015, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions:

(i) The petitioner shall cooperate with the investigation and make himself available as and when so required and in

case of failure, the State shall be at liberty to move for cancellation of bail.

(ii) The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates, his bail bond shall be liable to be cancelled by the learned Court concerned.

Chandran

(Vikash Jain, J)

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