

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32035 of 2016

Arising Out of PS.Case No. -30 Year- 2016 Thana -DEEPNAGAR District- NALANDA
(BIHARSHARIFF)

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Rajiv Kumar @ Sintu Kumar, S/o Arvind Singh, Resident of Village-
Daroga Bigha, P.S. Deep Nagar, District Nalanda.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Birendra Kumar Singh, Advocate

For the Opposite Party : Mr. Sri Matloob Rab (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 17-09-2016 Heard learned counsel for the petitioner and the learned
counsel representing the State.

The petitioner seeks bail in connection with Deepnagar P.S
Case No. 30 of 2016 (G.R. Case No. 478 of 2016) registered for the offences
punishable under Sections 302/120(B)/34 of the Indian Penal Code and
Section 27 of the Arms Act.

Allegedly, the petitioner was married with Aditya Kumari @
Annu in the year 2001 and on 07.02.2016 a telephonic message received that
Aditya Kumari @ Annu was shot dead and then the elder grand daughter told
the informant that father, elder brother and sister went away to the village
with motorcycle and she and her mother were coming from rickshaw, but in
the way near the Darogabigha, Railway crossing, three persons stopped the
rickshaw and demanded the articles to her mother and when her mother
started giving the articles, they got down the mother and one of them shot
dead her mother.

Submission is of false implication and that F.I.R. is against

three unknown miscreants but suspicion has been raised against the petitioner that earlier there was some dispute between the husband and wife. During investigation noting has come besides bald suspicion, there is no legal and cogent material against the petitioner and it is not probable and reliable that after 15 years of marriage, the petitioner will commit such a crime and will make his children motherless.

Learned A.P.P. opposes the prayer of bail by submitting that petitioner used to talk with *sali* (sister-in-law) and due to that the petitioner had killed his wife.

In the facts and circumstances stated above, considering that the petitioner is in custody since 08.03.2016, chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence and, as such, the petitioner shall be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Biharsharif, in connection with Deepnagar P.S. Case No. 30 of 2016 (G.R. Case No. 478 of 2016), 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.)

Rajiv/-

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