

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3158 of 2016

Arising Out of PS.Case No. -90 Year- 2015 Thana -BEGUSARAI MUFFASIL District-
BEGUSARAI

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Bipin Choudhary @ Gobardhan Choudhary S/o Baiju Choudhary, Resident
of Village- Bagwara, P.S.- Muffasil, District- Begusarai.

..... Petitioner

Versus

The State of Bihar

..... Opposite Party

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Appearance :

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

For the Opposite Party/s : Mr. Jitendra Kumar Singh 1 (App)

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

ORAL ORDER

3 15-03-2016 Heard the learned counsel for the petitioner and the
learned A.P.P. representing the State.

The petitioner seeks bail in connection with
Muffasil (Singhol) P.S. Case No. 90 of 2015 registered for the
offences punishable under Sections 147, 149, 448, 342, 324,
326, 307, 504 and 306 of the Indian Penal Code.

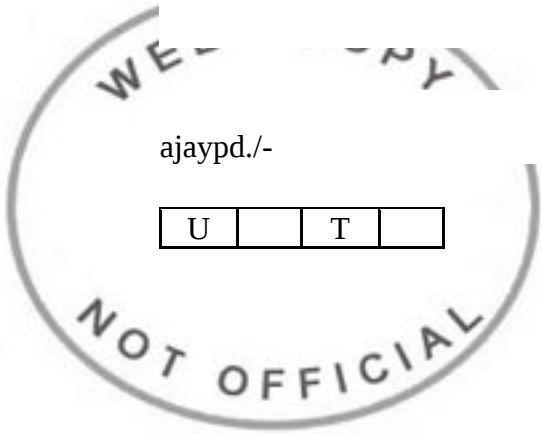
Allegedly, the petitioner and other co-accused after
sprinkling kerosene oil on the body of Mintu Devi and Resham
Kumari burnt them resulting both died. The petitioner is the
husband of Mintu Devi and father of Resham Kumari.

Submission is of false implication and that during investigation, witnesses vide paras 9, 10, 11, 24 and 25 of the case diary have stated that both the deceased were quarrelling with each other and burnt themselves and accordingly, charge-sheet has already been submitted under Section 306 of the Indian Penal Code, two co-accused have been allowed bail and the petitioner is suffering in custody since 24.06.2015, having no criminal antecedent.

Learned A.P.P. opposes the prayer for bail.

In the facts and circumstances stated above, considering that during investigation most of the witnesses have not supported the prosecution version and as such 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, Begusarai in connection with Muffasil (Singhol) P.S. Case No. 90 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.)