

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17468 of 2016

Arising Out of PS.Case No. -103 Year- 2013 Thana -SANOKHAR District- BHAGALPUR

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1. Laxman Ravidas son of Etwari Ravidas, Resident of village- Chhoti Naki, P.S.- Sanokhar, District- Bhagalpur.... Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pravin Kumar Sinha

For the Opposite Party/s : Mr. D.P.Tiwary(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 28-06-2016

Heard learned counsel for the petitioner and learned counsel representing the State.

The petitioner seeks bail in connection with Sanokhar P.S. Case No. 103 of 2013 registered for the offences punishable under Sections 328, 302/34 of the Indian Penal Code.

Archana Kumari @ Pinki Kumari, the daughter of the informant, was married to the petitioner in the year 2004 and out of the wedlock there are three children. Allegedly, the petitioner was having illicit relationship with his Bhavo which was opposed by Archana Kumari @ Pinki Kumari and then she was assaulted by the petitioner and other in-laws and accused persons administered poisonous substance to her and during treatment at Mayaganj Hospital she was declared dead.

Submission is of false implication and that due to some confusion the wife of the petitioner consumed poison, she was brought at hospital but during treatment she died. The witnesses vide paragraphs

25 and 26 have stated that the deceased consumed poison herself, no external injury has been found on the person of the deceased, the petitioner is in custody since 21.01.2016 and chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence and as such the petitioner deserves sympathetic consideration to which the learned APP opposes.

In the facts and circumstances stated above, considering that 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, Bhagalpur in connection with Sanokhar P.S. Case No. 103 of 2013, 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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