

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49416 of 2015

Arising Out of PS.Case No. -78 Year- 2013 Thana -PATORI District- SAMASTIPUR

=====

1. Pappu Kumar @ Rakesh Ranjan Son of Mithilesh Rai Resident of
village - Jalalpur, P.S. Patory (Mohanpur O.P.), District - Samastipur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Dudh Nath Singh

For the Opposite Party/s : Mr. A.Dayal (App)

=====

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

4 03-02-2016

Heard the learned counsel for the petitioner as well as

the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences
punishable under sections 304 (B) and 201/34 of the I.P.C

Ruby Devi, the younger sister of the informant, was
married to the petitioner on 24.04.2008 and due to non fulfillment
of demand of motorcycle she was being tortured and assaulted and
ultimately she was poisoned to death and her dead body was
thrown at the bank of river Hetanpur.

Submission is of false implication and that the
petitioner is suffering in custody since 28.05.2013, in near future
the trial is not likely to be concluded, during investigation the
witnesses, namely, Sudhir Kumar and Nawal Rai vide paragraphs-
17 and 18 of the case diary have stated that the wife of the

petitioner consumed poison herself resulting she died, there is no chance of tampering with the prosecution evidence and as such the petitioner deserves sympathetic consideration as the doctor has not found any external injury on the body of the deceased.

The learned A.P.P. opposes prayer for bail by submitting that the petitioner is the husband.

In the facts and circumstances as stated above, considering the statements of those two witnesses vide paragraphs- 17 and 18 of the case diary, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Additional District & Sessions Judge- IVth, Samastipur in Sessions Trial No. 490 of 2013 arising out of Patory P.S. Case No. 78 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)

Abhay/-

U		T	
---	--	---	--