

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13647 of 2016

Arising Out of PS.Case No. -154 Year- 2013 Thana -SONO District- JAMUI

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Jay Prakash Singh @ Chotan Singh son of Late Phokhari Singh Resident of
village- Itaba (Kali Pahari), P.S.- Sono, District- Jamui

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

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

For the Opposite Party/s : Mr. Atul Chandra(App)

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

ORAL ORDER

3 17-05-2016 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)/34 of the Indian Penal Code.

Anita Devi, Bhegni of the informant was married to
the petitioner in the year 2012 and allegedly, the petitioner, having
illicit relationship with his Bhabhi, used to assault her and
ultimately, she was killed and her dead body was also cremated.

Submission is of false implication and that there was
cordial relation between the petitioner and his wife, out of the
wedlock, there is a daughter, during investigation, besides
informant no one has supported the prosecution version even the
mother of the informant vide paragraph-14 has stated that the

deceased died due to abdominal pain and further other independent witnesses vide paragraphs 7, 8 and 9 have also not supported the prosecution version. During supervision also, the prosecution version has not been found true.

The learned A.P.P. submits that the petitioner is the husband.

In the facts and circumstances stated above, considering that charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence, 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 Chief Judicial Magistrate, Jamui in connection with Sono P.S. Case No.154 of 2013 (G.R. No.1970 of 2013), 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)

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