

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18410 of 2017

Arising Out of PS.Case No. -337 Year- 2016 Thana -PATORI District- SAMASTIPUR

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Pankaj Kumar, Son of Ramroop Raid, resident of Village- Shadipur, P.S.
Patory, District- Samastipur (Bihar).

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar Singh, Adv.

For the Opposite Party/s : Sri Sunil Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

3 24-05-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Patory
P.S. Case No. 337 of 2016 registered for the offence punishable
under sections 304B/201/34 of the Indian Penal Code and 3/4 of
the D.P. Act.

Allegedly, the petitioner being the husband of
Sangeeta Kumari who was pregnant of four months, was killed by
administering thymate (poison) in her mouth and her dead body
was also cremated.

Submission is of false implication and that during
trial the informant has been examined as P.W. 5 and he has turned
hostile. His father (P.W. 1) has also turned hostile. Similarly, the



mother (P.W. 2) has also turned hostile. Other witnesses (P.Ws. 3 and 4) have also turned hostile and have not supported the prosecution version and as such, the petitioner deserves sympathetic consideration. The certified copy of deposition has been filed, which is taken on record.

Learned APP submits that now the informant and other witnesses have retracted from their earlier version.

In the facts and circumstances stated above, the petitioner, above named, is directed to be released on bail on execution of bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Samastipur in connection with Patory P.S. Case No. 337 of 2016, 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)

Mahesh/-

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