

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28260 of 2017

Arising Out of PS.Case No. -170 Year- 2014 Thana -DURGAWATI District- BHABHUA
(KAIMUR)

=====

1. Pancham Mallah Son of Baliram Mallah, Resident of Village- Saraiya,
P.S.- Durgawati, District- Kaimur at Bhabua.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey

For the Opposite Party/s : Mr. Nirmal Kumar Sinha

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

5 21-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
31.12.2016 in connection with Durgawati P.S. Case No. 170/2014
for offences punishable under Section 306 of the Indian Penal
Code.

The prosecution case, as lodged by the informant, is
that his daughter was married to the petitioner about 1½ years
back and the petitioner was working in Delhi in a private firm, but
had come to the village and was returning the same day to Delhi.
The deceased wanted to accompany him to Delhi but there was a
minor fight between them. Resultantly, the wife hanged herself
and succumbed.



It has been submitted by the learned counsel for the petitioner that he is innocent, no overt act has been alleged to have been committed by the petitioner and that for petty dispute the deceased committed suicide. He submits that there was cordial relation between them and independent witnesses have not supported that the petitioner was having a love affair with a lady of his own village. He further submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabua, in connection with Durgawati P.S. Case No. 170/2014, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station/ court, who will file an affidavit stating his relationship with the petitioner and that petitioner will appear before the learned court below during trial as and when required



and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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