

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2048 of 2017

Arising Out of PS.Case No. -410 Year- 2016 Thana -PHULWARI District- PATNA

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Sujit Kumar, son of Late Kameshwar Prasad, resident of Village- Nagwan
Derapar, P.S.- Janipur, District- Patna.

.... Appellant/s

Versus

The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sada Nand Roy
For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 01-08-2017 This appeal is for setting aside the order dated 09.06.2017 passed in Special Case No. 114A/2017 and also for grant of regular bail in connection with Phulwari Sharif (Janipur) P.S. Case No. 410 of 2016 registered for the offence(s) under section(s) 494/498(A)/341/323/306 of the Indian Penal Code and section 3 (i) (r) (w) of the SC/ST Act.

Allegation against the appellant is that he did not allow the deceased, who married with the brother of petitioner, namely, Amit Kumar, to live in his ancestral house and Amit Kumar has been remarried and due to that reason and frustration, the victim committed suicide.

Submission of the learned counsel for the appellant is that the allegation against the appellant is vague in nature and now



he is in custody for about two months.

Heard learned Special Public Prosecutor also.

Having heard both sides and in view of the facts and circumstances, as stated above, this appeal is allowed and impugned order dated 09.06.2017 passed in Special Case No. 114A/2017 is set aside.

Let the appellant, above named, be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rs. Twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge SC/ST, Patna in connection with Phulwari Sharif (Janipur) P.S. Case No. 410 of 2016, subject to the following conditions:-

- (i) One of the bailors of the appellant shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The appellant will not induce any witness or tamper with the evidence.
- (iii) The appellant shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine rhyme or reasons, the



prosecution will have liberty to move for
cancellation of his bail.

(Vinod Kumar Sinha, J)

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