

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13953 of 2017

Arising Out of PS.Case No. -21 Year- 2016 Thana -NAWAKOTHI District- BEGUSARAI

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Bipin Kumar, son of Ram Kumar Mahto, R/o Village- Chakka, P.S.-
Nowkothi, District- Begusarai.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Chandan Kumar Kashyap, Advocate

For the Opposite Party/s : Mr. Binod Kumar 2, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 27-04-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with
Nowkothi P.S.Case No. 21 of 2016 registered for the offences
punishable under Sections 498A, 302, 328, 307, 323, 504, 506,
337 and 338/34 of the Indian Penal Code.

Case is under Section 302 and other sections of the
IPC and informant is the wife of the petitioner. Allegation against
the petitioner and other co-accused persons is that on petty issue
petitioner used to quarrel with the informant and he has threatened
to kill the son of the informant and on the day of occurrence
Nanad of the informant has given an apple to her son and after
eating the same he became ill and after treatment he died.

It has been submitted on behalf of the petitioner that



deceased is the son of the petitioner and allegation is false and concocted and, as a matter of fact, his son was ill and during treatment he died and as the informant has some dispute with the petitioner being husband, as such, he has been made accused in this case and he is in custody since 16.1.2017.

Heard learned APP also, who could not point out any fact that petitioner has given the apple to the deceased, rather Nanad of the informant has given the same and after eating the same the deceased fell ill and he died.

Having heard both sides and considering the aforesaid facts and circumstances, let the petitioner, named above, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of Sri Raghbir Prasad, Judicial Magistrate, 1st Class, Begusarai, in connection with Nowkothi P.S.Case No. 21 of 2016, subject to the conditions that :-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner 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 reason, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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