

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30629 of 2018

Arising Out of PS.Case No. -162 Year- 2014 Thana -PAROO District- MUZAFFARPUR

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Surendra Das S/o Late Parmeshwar Das, R/o Village- Koiriya, P.S.- Paroo,
District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Upendra Kumar Chaubey

For the Opposite Party/s : Dr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 05-07-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner, who is in custody since 21.08.2017,
seeks bail in connection with Paroo P.S. Case No. 162 of 2014
registered for the offences punishable under sections 302 and
201/34 of the Indian Penal Code.

The informant is father of deceased. He has alleged
that on the occasion of marriage of his daughter, this petitioner
(father-in-law of the deceased) and Pramod Das (brother-in-law of
the deceased) visited at his place for attending marriage ceremony.
After departure of barat, this petitioner along with his daughter,
son-in-law (deceased) and Pramod Kumar returned his home. On
22.06.2014, this petitioner informed the informant regarding



serious illness of his son Manjay Das (deceased) whereupon the informant visited at the place of occurrence where he came to know that his son has been killed and his dead body was cremated by the accuseds.

It has been submitted that the petitioner has been apprehended merely on suspicion. The deceased did not visit at the house of this petitioner immediately after marriage of his sister. The deceased might have died at another place in different manner. In order to extort money, the present case has been lodged against this petitioner with false and frivolous allegation after three weeks. The petitioner had no motive to kill his own son-in-law. The brother-in-law of the deceased has been allowed bail by one of the coordinate Bench of this Court in Cr. Misc. No. 52362 of 2017. The petitioner is in custody 21.08.2017 having clean antecedent and so to deserves to be enlarged on bail.

The learned Additional Public Prosecutor on the other hand opposed the submission.

Considering the facts and circumstances of the case, the prayer for bail of the petitioner is allowed and he is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of 3rd Sub-Judge-cum-Additional Chief Judicial Magistrate (West),



Muzaffarpur in connection with Paroo P.S. Case No. 162 of 2014,
subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property 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.

(Sanjay Kumar, J)

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