

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38061 of 2018

Arising Out of PS. Case No.-12 Year-2018 Thana- KINJAR District- Jehanabad

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Bijendra Singh, Son of Late Mukhlal Singh, Resident of Village- Bara, P.S. Kinjar, District- Arwal.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjay Kumar Singh

For the Opposite Party/s : Mr. Pawan Kumar Chaurasiya

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 09-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Kinjar P.S.
Case No. 12 of 2018 for offences punishable under Sections 341,
323, 504, 304(B), 201 and 34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that his daughter Poonam Devi was married to the petitioner's
son in the year 2010 and was harassed, tortured for non-
fulfillment of demand of dowry and has been killed and body
disposed off.

It has been submitted by the learned counsel for the
petitioner that he is innocent, he is father-in-law of the deceased
and the son is already in custody, as stated in the supplementary
affidavit at paragraph-3, stating the date of custody as



23.02.2018. He submits that he has separate home and hearth, there is general and omnibus allegation against him and charge-sheet has already been submitted. He further submits that marriage is of the year 2010 and, hence, Section 304(B) of the I.P.C. would not be applicable and petitioner is languishing in judicial custody since 23.02.2018.

However, learned APP for the State opposes the prayer for bail stating therein that the deceased girl had also lodged a case under Section 498-A of the I.P.C. against the petitioner and other accused persons earlier.

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, Arwal, in connection with Kinjar P.S. Case No. 12 of 2018, subject to the following conditions :

- (i) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.
- (ii) 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/Pragya

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