

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3768 of 2019

Arising Out of PS. Case No.-96 Year-2017 Thana- OBRA District- Aurangabad

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Anugrah Singh @ Anugrah Narayan Singh son fo Late Ramadhar Singh
Resident of village Tejpura, P.S. Obra, District Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Alka Singh

For the Opposite Party/s : Mr.Shantanu Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 08-03-2019 Heard the parties.

The petitioner is apprehending his arrest in connection with Obra P.S.Case no.96 of 2017 , registered for offences punishable under Sections 302/34 of the Indian Penal Code.

Allegation against the petitioner who happens to be father-in-law, is of causing death of the deceased by burning her in collusion with the other accused persons including the mother-in-law and husband.

Learned counsel for the petitioner has drawn my attention towards Annexure-, as the statement of the deceased was recorded prior to death by the Magistrate and that shows that her cloth caught fire while she was preparing food and due to that she received injuries and further para 99 of the case diary also discloses that the Officer Incharge of the Lanka Police Station



called the Learned Magistrate for recording her statement. It has also been submitted that the sons of the deceased is now residing with the informant and they have got statement of the sons recorded after six months of the occurrence by the police, in which they have named these petitioners, while they were in custody of the informant and furthermore a C.D. has also been produced but that C.D. appears to be tempered one.

Heard learned A.P.P. as well as the learned counsel for the informant. They have opposed the prayer for bail on the ground that the C.D. has been recorded by a person and the same is not tempered one and further so far so called dying declaration is concerned, there is no FIR by that time as such recording of the same is also appears to be doubtful and the CD clearly shows that there is hand of the petitioner in killing of the deceased and sons of deceased have also supported the occurrence.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of



the learned SDJM, Daudnagar, Aurangabad (Bihar) in connection with Obra P.S.Case no.96 of 2017, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure with further condition that he will co-operate in the investigation of the case, otherwise his bail bond shall be cancelled.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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