

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11044 of 2019

Arising Out of PS. Case No.-48 Year-2012 Thana- GAURICHAK District- Patna

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Jitan Bind, Son of Pyare Jamadar @ Pyare Bind, Resident of Village - Usfa,
P.S-Gaurichak, Dist.-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha

For the Opposite Party/s : Mr.Satyendra Prasad

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-02-2019 Heard learned counsels for the petitioner and the

State.

The petitioner, being the brother of the husband of the victim is languishing in custody since 31.08.2018 in a case registered for the offences punishable under Sections 302 and 201/34 of the IPC.

The prosecution case, as per the fardbeyan of Shyamdev Bind, recorded by S.I., Gaurichak Police Station, on 04.04.2012, is to the effect that on the same day, at about 7 A.M., one female co-villager of the informant conveyed the informant that his niece, Sonewati Devi, who was married with Dheepal Bind, has



been killed on 03.04.2012 by administering poison by her husband and in-law family members including the petitioner and they have disposed of her dead body.

It is submitted by learned counsel for the petitioner that the thrust of accusation is against the husband of the victim. The accusation against the petitioner and other in-law family members is omnibus and general. The petitioner claims to be separate from the husband of the victim. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the petitioner is named in the FIR.

Considering the fact that the thrust of accusation is against the husband of the victim, the investigation has already been concluded and the period under custody, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned S.D.J.M., Patna City, Patna in connection with Gaurichak P.S. Case No. 48 of 2012.

Since in a case registered in the year 2012, the



petitioner was arrested in the year 2018, the learned Court below will be at liberty to cancel the bail bonds of the petitioner if he defaults for two consecutive occasions.

(Dinesh Kumar Singh, J)

Amrendra/-

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