

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.350 of 2019

Arising Out of PS. Case No.-357 Year-2016 Thana- CHANDI District- Nalanda

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Kundan Kumar, son of Ravindra Ram @ Ravindra Kumar Singh, Resident of
Gauri P.S. Chandi District Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Manoj Kumar Pandey, Advocate.
For the informant	:	Mr. Shailendra Kumar Sinha, Advocate.
For the Opposite Party/s	:	Mr. Matloob Rab, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 06-02-2019 Heard learned counsel for the petitioner, counsel for the
informant and the State.

The petitioner seeks bail in **Chandi P.S. Case No. 357 of 2016**, instituted for the offence under Section(s) 307/34 of the Indian Penal Code. Subsequently, Section 302 Indian Penal Code was added.

It is alleged in the written report that daughter of the informant namely Khusboo Kumari had gone for call of nature on 30.11.2016 at 7.30 a.m. The villager raised *hulla* at 10:30 a.m. that his daughter is lying in the field in unconscious condition. The informant along with his family members reached there and saw his daughter lying in unconscious condition. There was black mark and swelling over her neck. The daughter of the informant was taken to the Hospital from where she was referred to PMCH and ultimately



she died during course of treatment.

Counsel for the petitioner submits that petitioner is not named in the written report. There was no eye witness to the occurrence.

Counsel for the informant has appeared and submitted that during investigation some of the witnesses have stated that this petitioner was seen running away from the place of occurrence after seeing the people assembled there. Similar observation has been made by learned Additional Sessions Judge in the impugned order by referring paragraphs-82, 83, 84 and 85 of the case diary.

Petitioner is in custody since 5.9.2018.

In such circumstances besides suspicion, there is no allegation of overt act against the petitioner, prayer for bail of the petitioner is allowed. Let the petitioner above named, be released 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 **Additional Chief Judicial Magistrate, Hilsa, Distt. Nalanda**, in connection with **Chandi P.S. Case No. 357 of 2016**, subject to the condition that both the bailors will be the close relatives of the petitioner.

(Sanjay Priya, J)

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