

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25595 of 2019

Arising Out of PS. Case No.-544 Year-2017 Thana- MANER District- Patna

JITAN KUMAR Son of Binda Rai Resident of Village - Molanipur, P.S.-
Maner, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoranjan Kumar

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

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 26-04-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with Maner P.S. Case No. 544 of 2017, registered for the of offences punishable under Section 302/34 of the Indian Penal Code.

The petitioner along with his family members is said to have assaulted on the head of elder son of the informant inflicting head injury to him. Informant rushed her son to the Maner hospital to accord him treatment. During course of treatment she learnt that accused persons named in the written report have eliminated her husband, then she rushed to her house and found rope wrapped around the neck of her husband.



It is submitted by the learned counsel for the petitioner that no such occurrence as alleged ever took place. The petitioner is quite innocent and has been falsely implicated in this case. Petitioner happens to be the younger brother of the deceased. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. As a matter of fact, there was serious dispute between husband and the informant and relationship between them was strained and due to some family feud deceased has committed suicide. It is further submitted that doctor has found ligature mark on the neck of the deceased and the cause of death to be asphyxia due to hanging. There is no eye witness of the occurrence. The father of the deceased namely Binda Rai and his mother Lalti Devi have been enlarged on anticipatory bail by different co-ordinate Bench of this Court vide order dated 14.12.2018 and 24.08.2018 in CR. MISC No. 59763 of 2018 and CR. MISC No. 22679 of 2018 respectively.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties



of the like amount each to the satisfaction of the Miss Nutan Kumari, J.M.1st Class, Danapur, Patna in connection with Maner P.S. Case No. 544 of 2017.

(Prakash Chandra Jaiswal, J)

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