

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27515 of 2019

Arising Out of PS. Case No.-33 Year-2018 Thana- CHANDAN District- Banka

=====

KHEMAN DAS @ KHEMAN KUMAR DAS Son of Rabi Das Resident of
Village - Babumahal, P.S.- Chandan (Ananpur O.P), Distt.- Banka

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee

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

=====

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 01-05-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Chandan (Anandpur) P.S. Case No. 33 of 2018
registered for the offence punishable under Section 302 of the
Indian Penal Code.

Earlier the bail application of petitioner was
rejected on 01.11.2018 with liberty to renew his prayer for bail
after one year of custody.

Informant is the father of deceased, who has stated
that his deceased daughter was married to the brother of
petitioner in the year 2012 and two children were also born from
said wedlock and to earn livelihood his son in law lived in Surat
and her daughter was living with family of her husband in



Banka. It is further alleged that petitioner who is the brother in law of deceased used to torture her and there was family dispute between the parties. It is alleged that on 18.03.2018 he received a call from his daughter and also a phone call from elder brother of his son in law to go and see his daughter as she is unwell, however when he reached there, he found her daughter lying dead. Informant suspects that his daughter has been killed by the petitioner.

It has been submitted on behalf of the petitioner that due to family dispute he has been implicated in this case. As a matter of fact petitioner resides separately and he has no concern with the affairs of his brother or his family. Petitioner has no criminal antecedent and he is in custody since 19.03.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon 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, Banka, in connection with Chandan (Anandpur) P.S. Case No. 33 of 2018 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the



court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

veena/-

U		T	
---	--	---	--

