

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36245 of 2019

Arising Out of PS. Case No.-287 Year-2018 Thana- DURGAWATI District- Kaimur (Bhabua)

Vijay Kumar S/O Late Kishore Prasad Resident of Village- Bhagwanpur, P.S.-
Chainpur, Distt.- Kaimur ... Petitioner

Versus

The State Of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr.Chandra Mohan Jha, Advocate
Mr. Ravi Shankar Sahay, Advocate
For the Opposite Party : Mr.Rajendra Singh, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 16-10-2019 Heard learned counsel for the parties and perused the case diary.

Petitioner is an accused in a case registered for the offence punishable under sections 306, 302/201 of the Indian Penal Code.

It appears that police recovered a dead body of a lady in the orchard which was later identified as wife of the petitioner. Petitioner is alleged to have abated his wife for committing suicide.

Learned counsel for the petitioner submits that the petitioner has been implicated in this case on suspicion because of being husband of the deceased. Further, no material has come in the case diary to connect the petitioner with the alleged offence, save and except the suspicion that the victim was in tension over selling a piece of land by the petitioner. Petitioner and the victim were blessed with four children out of the wedlock, as such, the allegation of committing murder appears to be improbable. Besides, the doctor has not been able to find the cause of death because of absence of any external injury on the body of the victim and the viscera was sent for chemical



examination. Police after investigation submitted charge sheet for the offence under section 306 Indian Penal Code. Petitioner has got no criminal antecedent. Petitioner is in custody since 28.2.2019.

In view of the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner, mentioned above, 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 the Chief Judicial Magistrate, Kaimur at Bhabua in Durgawati Police Station Case No. 287 of 2018 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

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

(Prabhat Kumar Singh, J)

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