

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.66907 of 2018

Arising Out of PS. Case No.-210 Year-2014 Thana- HISUWA District- Nawada

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Balmukund Singh @ Chhote Singh, Son of Kushesh Singh, Resident of
Village- Siswan, P.S.- Town Nawada, District- Nawada.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Arun Kumar, Advocate
For the Opposite Party/s	:	Mr. Sri Binod Kumar 2, APP 88
For the Informant	:	Mr. Mritunjay Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 21-01-2019 Heard learned counsel for the petitioner as well as

learned APP for the State and learned counsel for the informant.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 328, 120B,
302/34 of the Indian Penal Code.

Allegation against the petitioner is that he took the
deceased from his house on the pretext of accounting of due
wages. Thereafter, the deceased did not return, rather his dead
body was found and it was suspected that the deceased was
poisoned to death by administering poisonous substance in the
liquor supplied to him.

Submission of the learned counsel for the petitioner
is that there is no eyewitness of the occurrence, rather



occurrence took place at the residence of a relative of the deceased and the family members of the relative have stated before the Police that the deceased felt uncomfortable while he was bathing and he fell and died.

On the other hand, learned counsel for the informant opposed the prayer for anticipatory bail on the ground that there was motive of the petitioner to commit murder, as money of the deceased was due with the petitioner. There is evidence that petitioner had taken the deceased with him and the doctor has found substance of celphos in the viscera examination report.

Considering the fact that for the purpose of prayer for anticipatory bail, there is no substantial material against the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Hisua Police Station Case No.210 of 2014, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the



petitioner shall fully co-operate with the investigation/trial of
the case, failing which the court below shall be at liberty to
cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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