

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47059 of 2019

Arising Out of PS. Case No.-139 Year-2019 Thana- GOPALPUR District- Patna

Vakil Singh @ Ajeet Kumar, S/o- Sri Lali Singh, Resident of Village- Udaini,
P.S.- Gopalpur, District- Patna.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Thakur, Advocate
For the Opposite Party/s : Mr.Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 14-10-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is the elder brother of the husband of the deceased who is seeking anticipatory bail in connection with Gopalpur P.S. Case No. 139 of 2019 registered for the offences punishable under Sections 302 and 498A/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that so far as this petitioner is concerned, he happens to be the elder brother of the husband of the deceased and lives separately in mess and business. In paragraph '4' of the case diary the alleged place of occurrence is shown to be the house of the husband of the deceased and in course of investigation many co-villagers have stated that the husband and wife were not compatible as



the wife happened to be more educated than the husband and even on the date of the alleged occurrence some co-villagers had heard the quarrel between the wife and the husband.

Learned A.P.P. for the State submits that some co-villagers had heard the quarrel between the husband and wife which has come in Paragraph '46' and '47' of the case diary. In course of investigation no material has been collected against this petitioner to show that this petitioner is involved in the alleged occurrence.

Considering the facts and circumstances of this case, wherein this petitioner happens to be the elder brother of the husband of the deceased and in course of investigation no material has been collected against him to connect with the occurrence as also the place of occurrence is said to be the house of the husband of the deceased and the husband has already surrendered and is in jail, let in the event of his arrest or surrender within a period of four weeks from today the petitioner abovenamed be enlarged on bail on furnishing bail bonds of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Judge IX-cum-A.C.J.M. IX, Patna in connection with Gopalpur P.S. Case No. 139 of 2019, subject to the condition as laid down under



Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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