

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.79089 of 2018

Arising Out of PS. Case No.-44 Year-2016 Thana- KARPI District- Jehanabad

Arvind Singh @ Arvind Kumar @ Arvind Sharma, son of Naqgeshwar Singh,
resident of village/Mohalla Shivnagar, P.S. Karpi, District Arwal
... Petitioner

Versus

The State Of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Shivendra Prasad, Adv.
For the Opposite Party : Mr. Chandrasen Prasad Singh, APP 151

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 02-01-2019 Heard the learned counsel for the petitioner and the
learned counsel appearing for the State.

The petitioner had earlier moved for bail which was rejected on 08.08.2017 in Cr. Misc. No. 29556 of 2017. The petitioner is languishing in judicial custody since 11.04.2017 in connection with Karpi P.S. Case No. 44 of 2016 for the offences alleged under Sections 302, 201, 120B and 34 of the Indian Penal Code.

The prosecution case, as lodged by the informant is that his daughter, Rubi Kumari, was married to the petitioner in the year 2004 and was always tortured by the petitioner, who is her husband, and the in-laws who had eventually burnt her to death and disposed of her dead body.

It has been submitted by the learned counsel for the petitioner that he is innocent. The marriage took place in the year 2004 and after 12 years of marriage such allegation has



been made against the petitioner and in-laws. The allegations are general and omnibus and just because the petitioner is the husband of the deceased, he has been made accused in the present case while other co-accused have been granted the privilege of bail by coordinate Benches of this Court. He submits that the trial has not progressed and there is no eye witness to the alleged occurrence. In fact, while making tea the wife of the petitioner burnt herself and succumbed.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Karpi P.S. Case No. 44 of 2016 to the satisfaction of the learned Chief Judicial Magistrate, Jehanabad, subject to the following conditions :

(i) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(ii) Petitioner will appear before the learned Court below during trial as and when required and failure to appear on



two consecutive dates without assigning any reason will entail
cancellation of his bail bonds.

(Nilu Agrawal, J)

Shamshad/-

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