

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2310 of 2020

Arising Out of PS. Case No.-213 Year-2018 Thana- CHAND District- Kaimur (Bhabua)

Mahabali Kumar, Son of Lal Chand Ram, Resident of Village - Sogar, P.S.-
Chand, District - Kaimur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Dharmendra Kumar Singh, Advocate
For the Opposite Party/s : Mr.Satya Nand Shukla, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 20-03-2020 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Chand P.S. Case No. 213 of 2018 registered for the offences punishable under Sections 306, 328 of the Indian Penal Code.

Learned counsel for the petitioner submits that from the F.I.R. itself it will appear that the petitioner and daughter of the informant had got some love affair and they were living together. It is submitted that on persuasions they came back to the village where the family of the petitioner requested the family of the victim girl to take her back in their house but then the mother of the victim girl stated that a decision in this regard will be taken on return of the father of the victim girl. In the



mean time, in the morning allegedly this petitioner consumed poison and he was taken to the hospital but before taking him to the hospital, the victim girl was left at her house. Independent witnesses have stated in course of investigation that later on the victim girl also consumed poison and informed it to her family members, she died because of the poison.

Learned counsel submits that there is no role of this petitioner in administering poison to the daughter of the informant, the whole allegations are false and baseless.

Learned A.P.P. for the State has gone through the case diary and read out the statement of independent witnesses as stated in paragraph '9' and '10' of the case diary in which it has come that the victim girl had herself consumed poison. The investigation against the petitioner is complete and at this stage there is no submission that the release of the petitioner is likely to interfere with the course of trial and likely to tamper with the evidence.

Considering the facts and circumstances of the case, the materials present in the case diary particularly, the evidence of the independent witnesses as stated above, let the petitioner above named be released on bail in connection with Chand P.S. Case No. 213 of 2018 on furnishing of bail bond of Rs. 15,000/-



(fifteen thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. (IV), Kaimur at Bhabua, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such 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 or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

vats/-

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