

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7751 of 2020

Arising Out of PS. Case No.-238 Year-2019 Thana- JANDAHA District- Vaishali

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KRISHAN MOHAN SINGH Son of Late Sumant Singh Resident of Village-
Khopi Utarbari Tola, P.S.- Jandaha, Distt- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha

For the Opposite Party/s : Mr.Umanath Mishra

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 17-06-2020

The present petition has been taken up for consideration through the mode of Video Conferencing in view of the prevailing situation on account of COVID-19 Pandemic.

Heard the learned counsel for the petitioner and the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Jandaha PS case no. 238 of 2019 registered for the offences punishable under Section 302/34 of Indian Penal Code.

The case of the prosecution in brief is that the marriage of the niece of the informant was solemnized in the year 2007 with one Chandan Kr. Singh, whereafter she was residing at her in-laws house. However subsequently, demand for dowry was made. It is alleged that the accused persons including the husband of the deceased victim lady had pressed



her neck and killed her, whereafter they had tried to dispose off the dead body.

The learned counsel for the petitioner has submitted that the petitioner is an old-aged father-in-law of the deceased victim lady and there is no specific allegation of any sort of overt act as against him. It is further submitted that the petitioner is innocent and has been falsely implicated in the present case. Lastly, it is submitted that the husband of the deceased victim lady has already been granted bail by the learned court below.

The learned counsel for the informant has vehemently opposed the prayer for bail and has submitted that he is unaware as to whether the husband has been granted bail by the learned court below or not.

Having regard to the facts and circumstances of the case, considering the submissions as also taking into account the fact that the husband of the deceased victim lady has been granted bail by the learned court below and the petitioner, prima facie, does not appear to be having any complicity in the matter, I deem it fit and appropriate to admit the petitioner to the privilege of anticipatory bail. Accordingly, the abovenamed petitioner, in the event of his arrest or surrender before the learned court below within a period of six weeks from the date of receipt/ production of a copy of this order,



is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Vaishali at Hajipur in connection with Jandaha PS case no. 238 of 2019 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure, however subject to the verification by the learned court below regarding factum of grant of regular bail to the husband of the deceased victim lady by the learned court below. It is made clear that in case, the husband of the deceased victim lady has not been granted bail, the present privilege of anticipatory bail being granted to the petitioner herein shall stand revoked automatically.

(Mohit Kumar Shah, J)

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