

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12955 of 2020

Arising Out of PS. Case No.-282 Year-2019 Thana- SHAHKUND District- Bhagalpur

DILIP SINGH Son of Late Musharu Singh Resident of Village - Harpur, P.S.-
Shahkund, Dist.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mritunjay Prasad Singh
For the Opposite Party/s : Mr.Raj Ballabh Singh

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

3 03-03-2020 Heard learned counsel for the parties.

This application for regular bail arises out of
Shahkund P.S. Case No. 282 of 2019, disclosing offence under
Sections 302,120B/34 of the Indian Penal Code.

As per the case of the prosecution, the informant's son
(the deceased) and petitioner's daughter were married to each
other. It is alleged in the FIR that the in-laws of the informant's
son indiscriminately assaulted him on 29.10.2019 because of
which he died. It is clear from the FIR that the deceased was
taken to Hospital by his in-laws. It is alleged in the FIR that the
deceased was taken to the Hospital under the pressure of the co-
villagers of the named accused persons. All the family
members have been made accused.



Learned counsel appearing on behalf of the petitioner has submitted that the petitioner is in custody since 30.10.2019 and the investigation has been completed by the police. He has drawn my attention to the statement made in paragraph 10 of the application, wherein it has been stated that charge-sheet has been submitted under Sections 306/34 of the Indian Penal Code and other provisions but not under Section 302 of the Indian Penal Code. He has further submitted that the informant is admittedly not an eye-witness to the occurrence and the allegation that the in-laws of the deceased killed the deceased is imaginary.

Learned Additional Public Prosecutor appearing on behalf of the State has vehemently opposed the prayer for bail and has submitted that considering the gravity of the offence, the petitioner should not be allowed regular bail.

Considering the fact that the investigation is complete to the extent the same relates to the petitioner, as stated in the application leading to filing of the charge-sheet against him under Section 306 of the Indian Penal Code, in my opinion, a case for grant of regular bail is made out. This application is allowed.

Let the petitioner above-named be released on bail on



furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Bhagalpur in Shahkund P.S. Case No. 282 of 2019.

(Chakradhari Sharan Singh, J)

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