

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18687 of 2020

Arising Out of PS. Case No.-166 Year-2019 Thana- BEUR District- Patna

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DIPU KUMAR @ DEEPA KUMAR Son of Amendra Bhagat @ Amerendra Bhagat Resident of Village - Pojhi Bhaulpur, P.S.- Madhourah, Distt.- Saran, At Present Shyam Prasad Ke Makan Me Sipara Bathani, P.S.- Beur, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Manoj Kumar
For the Opposite Party/s	:	Ms.Meena Singh
For the informant	:	Mr. Chandra Shekhar Anand

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 09-09-2020 Heard learned Counsel for the petitioner, learned Counsel for the informant and learned Additional Public Prosecutor representing the State, through Video Conferencing.

The petitioner seeks regular bail in connection with Beur Police Station Case No. 166 of 2019, registered for the offence punishable under Sections 306/34 of the Indian Penal Code.

The allegation against the petitioner is that the petitioner solemnized love marriage with the daughter of the informant (deceased) about five years back and the petitioner along with his family members used to torture the deceased, due to which the deceased committed suicide.



Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and the entire family members of the petitioner has been implicated in this case. He further submits that after the marriage, the deceased was living with her husband (the petitioner) separately in a rented house and from their wedlock, two children were born. He further submits that after investigation, the police submitted final form in favour of mother and brother of the petitioner and they were not sent up for trial, but charge sheet has been submitted by the police against the petitioner under Section 306 of the Indian Penal Code. He further submits that there is no apprehension of the petitioner being absconding or tampering with the evidence.

On the other hand, learned Additional Public Prosecutor and learned Counsel for the informant vehemently oppose the prayer for bail and submit that the petitioner used to torture the deceased, due to which, she committed suicide. As such, the petitioner does not deserve privilege of bail.

After having heard learned Counsel for the parties and taking into consideration the materials on record, I am inclined to grant regular bail to the petitioner **after framing of charge against him.**



This application is allowed.

Accordingly, let the petitioner, above named, be released on bail, **after framing of charge against the petitioner**, upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 3rd Additional Chief Judicial Magistrate, Patna, in connection with Beur Police Station Case No. 166 of 2019.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

It is made clear that at the time of furnishing bail bonds, all the parties shall follow the guidelines regarding lockdown and social distancing.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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