

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25999 of 2020

Arising Out of PS. Case No.-104 Year-2019 Thana- KADIRGANJ District- Patna

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Anil Bind, aged about 24 years, male, S/o Parmanand Bind, Resident of
Village- Pakaura, P.S.- Kadirganj, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Parmeshwar Vishwakarma, Adv.

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 01-12-2020 Heard Mr. Parmeshwar Vishwakarma, learned

counsel for the petitioner and Mr. Ram Priya Sharan Singh,

learned APP for the State.

The petitioner seeks bail in connection with
Kadirganj P.S. Case No. 104 of 2019, dated 11.09.2019,
which was instituted for the offences under Sections 304(B),
201, 120(b) and 34 of the Indian Penal Code. However,
after a detailed investigation, charge-sheet has been



submitted in this case under Section 306 of the Indian Penal Code and cognizance also has been taken under the same section in which the charge-sheet has been submitted.

From the perusal of the First Information Report, it appears that the relationship between the spouses had soured, but the petitioner had gone to Punjab to earn his livelihood. As the allegation stands, the deceased is said to have been killed by the family members.

It has been submitted on behalf of the petitioner that admittedly he was not present in the house rather in the State, when the occurrence is said to have taken place. There is no allegation whatsoever of burning or killing the deceased by any other mode. The investigation papers revealed that the factum of death was communicated to her family members and in their presence, cremation was conducted. However, later, on the instigation of some of the relatives of the informant, the present case has been lodged.

Learned counsel for the petitioner further submits that the very fact that the deceased had given birth to a child out of the wedlock with the petitioner, it becomes very



clear that the relationship of the spouses existed and only because of unfortunate self-destruction by the deceased, the petitioner has been made accused in this case.

Considering the fact that the petitioner is in custody since 26.12.2019, he is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-Ist Class, Masaurhi, Patna in connection with Kadirganj P.S. Case No. 104 of 2019.

The petitioner shall however participate in the trial and his absence from the trial proceedings for two consecutive occasions without seeking proper permission from the Court, would render his bail liable to be canceled.

(Ashutosh Kumar, J)

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