

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26070 of 2020

Arising Out of PS. Case No.-400 Year-2019 Thana- PAKRIDAYAL District- East Champaran

KRIM KUMAR Son of Kapil Dev Prasad Resident of Village- Sirha, P.S.-
Pakaridayal, District- East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-10-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders”
under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioner is directed to remove
the defect(s), as pointed out by the office, within a period of
four weeks after restoration of normalcy.

Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case for the offence
registered under Sections 302, 34 of the Indian Penal Code.

Prosecution case in short is that the sister of the informant
namely, Namita Kumari was married with Rambabu Prasad 15
years back according to Hindu rites and rituals but 9 years ago,



Bahnoi of the informant died due to illness, thereafter, second marriage of sister of informant was performed with Karim Kumar (petitioner, younger brother of Bahnoi of informant) 6-7 months back but after 6 months of second marriage, his sister informed that her in-laws started cruelty and demanding dowry. It is further alleged that due to non-fulfillment of dowry demand, the informant's sister was murdered.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Charge sheet/Prosecution report in this case has already been submitted. The petitioner is in custody since 07-01-2020. The petitioner has been falsely implicated in the present case. The deceased happens to be wife of the elder brother of the petitioner. The deceased is Bhabhi of this petitioner. The deceased was residing as a widow of Ram Babu Prasad. The deceased died due to illness. The petitioner never married to his Bhabhi (deceased). There is no eye witness to the alleged occurrence. Merely on the basis of suspicion, the petitioner has been made accused in this case.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.



Considering the aforesaid facts and circumstances of the case, 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 learned Additional Chief Judicial Magistrate-Vth, Motihari, East Champaran in connection with Pakaridayal P.S. Case No. 400 of 2019.

(Sudhir Singh, J)

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