

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66441 of 2019

Arising Out of PS. Case No.-72 Year-2019 Thana- LALIT NARAYAN UNIVERSITY
District- Darbhanga

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SURESH KUMAR PURBEY @ SURESH PURBEY Son of Jagdish Purbey
Resident of Mohalla/ Village - Aajamnagar, P.S.- L.N.M.U., District-
Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kedar Jha

For the Opposite Party/s : Mr.Sunil Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 04-03-2020 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case instituted for the
offences under Section 302 of the Indian Penal Code.

The prosecution case in short is that the accused person
caused death of the victim due to love affairs with another lady.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 24.6.2019. There is no allegation of
tampering of witnesses alleged against the petitioner. Charge-sheet
has been submitted in the present case. The petitioner has falsely
been implicated in the present case. The alleged occurrence is said to
have taken place after 15 years of the marriage. The petitioner
happens to be husband of the deceased. There was a dispute between
the husband and wife in respect to extra marital affairs which is
alleged by the informant. The informant is the brother of the



informant who was informed by his elder sister regarding the alleged incident. There is no eye witness to the alleged occurrence nor there is any circumstantial evidence to suggest the implication of the petitioner in the present case. Except for motive in respect to extra marital affairs, there is no other substantive evidence to show the participation of the petitioner in the present case. It has been submitted that the deceased is said to have committed suicide. The children of the deceased have also been examined in course of investigation in which they have not alleged that the petitioner had committed murder of the deceased.

On behalf of the State and informant, it is submitted that the petitioner is named in the F.I.R. He is the husband of the deceased.

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. -IV, Darbhanga in connection with L.N.M.U. P.S. Case No. 72 of 2019.

(Sudhir Singh, J)

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