

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7879 of 2020

Arising Out of PS. Case No.-53 Year-2016 Thana- KHAIRA District- Saran

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NIRAJ KUMAR SINGH @ NIRAJ SINGH Son of Rabindra Singh R/o
Village- Arwa Kothi, P.S.- Khaira (Nagar), Distt- Saran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Harsh Anuj, Adv.

For the Opposite Party/s : Mr.Mukeshwar Dayal, APP

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

6 13-07-2020 Heard learned counsel appearing for petitioner as well

as learned Additional Public Prosecutor appearing for State

through video conferencing.

Petitioner is in jail custody since 29.03.2016 in Khaira
Town P.S. Case No.53/2016 registered under Section 302, 328
of the IPC.

Petitioner happens to be husband of the deceased and
the accusation against petitioner is that he administered poison
to deceased.

The postmortem report of deceased goes to show that



no external injury was found on the person of the deceased and the case diary goes to show that not a single prosecution witness claims to have seen the petitioner administering poison to deceased.

Learned counsel appearing for petitioner submits that the marriage of petitioner with deceased took place in the year 2004 and after marriage, petitioner along with deceased went to Surat (Gujrat) in connection with his livelihood. However, deceased gave birth to two children out of the aforesaid wedlock. Learned counsel for the petitioner further submits that the informant has himself admitted in his fardbeyan that deceased was leading her married life with petitioner happily and peacefully. He further submits that problem started when petitioner left his job and returned to his village and after some days deceased started pressurizing the petitioner to go back to Surat and when petitioner refused to go back to Surat, the deceased consumed poison.

The trial court has reported that up till now three prosecution witnesses could be examined.

Considering the aforesaid facts and circumstances as well as submissions of the parties and also taking note of period of detention of the petitioner in jail custody, let petitioner 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.D.J., VIIIth, Saran at Chapra in connection with Khaira (Nagra) Town P.S. Case No.53/2016

(Hemant Kumar Srivastava, J)

Prakash Narayan /-

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