

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.13014 of 2021**

Arising Out of PS. Case No.-200 Year-2020 Thana- BHAGWANPUR District- Begusarai

PAPPU SINGH @ HEMANT SINGH Son of Shyam Nandan Singh Resident
of Village Jagatpura, P.S. Matihani, District - Begusarai.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.Yogesh Chandra Verma, Sr. Advocate
For the Opposite Party/s	:	Mr.Md. Arif, APP
For the Informant	:	Mr. Subhesh Pandey, Advocate

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 16-06-2021 Learned counsel for the petitioner undertakes to
remove all the defects as pointed out by office within four
weeks after start of normal functioning of the Court.

Heard learned Senior Counsel for the petitioner,
learned counsel for the informant and learned A.P.P. for the
State.

Petitioner, in the present case, is seeking regular bail
in connection with Bhagwanpur P.S. Case No. 200 of 2020
registered for the offences punishable under Section 304B,
498A, 34 of the Indian Penal Code.

As per prosecution story, the informant alleged that
her sister was married to Bipul Kumar on 17.06.2020 and just
after two days she was tortured for dowry, they also tried to kill
her by administering injection for sleeping. A written compliant



was sent to Mahila Police Station. Thereafter, the informant talked with her sister and she stated that her husband, father-in-law, mother-in-law, Fufera Sasur Pappu Singh (the petitioner) and other would kill her. The informant reached and saw that her sister was hanging on fan and died.

Learned Senior Counsel for the petitioner submits that petitioner has been falsely implicated in this case. Petitioner is Fufa of husband of the deceased, he has been made accused merely because he attended the Panchayati to settle the matter. Learned Senior counsel submits that petitioner is in custody since 12.09.2020 having no criminal antecedent.

Learned Senior Counsel submits that though the police has submitted the charge-sheet under Section 306 of the Indian Penal code but the learned trial court has taken cognizance of the offence under Section 304B of the Indian Penal Code.

Learned A.P.P. for the State as well as learned counsel for the informant have opposed the prayer for regular bail of the petitioner.

Having heard learned Senior Counsel for the petitioner, learned counsel for the informant and learned A.P.P. for the State and upon noticing the submission that this



petitioner is the cousin father-in-law (Fufa) of the deceased, he has been made accused only because he had participated in the Panchayati for reconciliation of the dispute between the parties, further submission that police has submitted a charge-sheet in this case under Section 306 of I.P.C. as the post-mortem revealed death was caused due to asphyxia due to hanging, the petitioner is not living in the house in which the deceased died and further submission that petitioner is in custody in connection with this case since 12.09.2020, investigation against him is complete but the trial is not likely to be concluded in near future, this court directs release of the petitioner above named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned C.J.M., Begusarai, in connection with Bhagwanpur P.S. Case No. 200 of 2020, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and



(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

