

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30359 of 2021

Arising Out of PS. Case No.-98 Year-2019 Thana- KIUL District- Lakhisarai

Pankaj Kumar S/O Rajendra Prasad Resident Of Village- Goddi, P.S.- Kiul,
Distt- Lakhisarai.

... .. Petitioner

Versus

The State Of Bihar

... Opposite Party

Appearance :

For the Petitioner : Mr.Devanand Tiwari, Advocate

For the Opposite Party : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 21-10-2021 Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under sections 302/34 of the Indian Penal Code.

As per the prosecution case, informant's sister was married with the petitioner in 2011. Informant stated that on 30.9.2019 he got information that his sister was killed. He has further alleged that the petitioner and his family members named in the FIR have killed his sister.

Learned counsel for the petitioner submits that the petitioner and the victim were married in 2011 and out of the wedlock they had two sons. He further submits that in the FIR there is no allegation of torture and demand of dowry against the petitioner. It is also the case of the petitioner that during course of investigation in paragraphs 11, 12, 13 and 18 of the



case diary, it has come that the petitioner was unemployed and there was dispute between husband and wife and she committed suicide. Learned counsel further submits that in the post mortem report, no external or internal injury was found on the body of the deceased. Petitioner is in custody since 1.2.2021. Charge sheet has already been submitted.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the rival submissions of the parties, materials available on the record and the fact that there is no allegation of torture and demanding dowry against the petitioner and no incriminating material has been collected against the petitioner during course of the investigation, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Lakhisarai in Kiul Police Station Case No. 98 of 2019 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without



sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

Shashi

U		T	
---	--	---	--

