

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34088 of 2021

Arising Out of PS. Case No.-249 Year-2020 Thana- CHANDAN District- Banka

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Bittu Darbey Son of Yogendra Darbey Resident of Village - Narayandih,
Darbey Tola, P.s.- Chandan, Distt.- Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR, PATNA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee
For the Opposite Party/s : Mr. Anuj Kumar Srivastava

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-12-2021 Let the defects, if any, be removed within four weeks
of the complete start of the Physical Court.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered in connection
with Chandan (Anandpur) P.S.Case No. 249 of 2020 for the
offences punishable under Section 306 of the Indian Penal
Code.

As per prosecution case, the marriage of petitioner
and informant's daughter Kavita Devi was solemnized about
ten years ago. It is further submits that there was altercation
took place between the petitioner and his wife. On 24.12.2020
the informant was informed that his daughter brutally assaulted



by her husband and her daughter committed suicide.

Learned counsel for the petitioner submits that petitioner has named in the F.I.R. After completion of investigation Investigating officer has submitted charge sheet against the petitioner under section 306 of the Indian Penal Code. He further submits that the deceased committed suicide by hanging herself. Petitioner is in custody since 26.12.2020.

The learned A.P.P opposed the prayer for bail.

Considering the aforesaid facts and circumstances as well as period of custody, let 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 Judicial Magistrate 1st class Banka in connection with Chandan (Anandpur) P.S. Case No. 249 of 2020,subject to the 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

2. If the petitioner tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move



for cancellation of bail.

3. 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 petitioners have concealed their 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-mentions order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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