

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37933 of 2021

Arising Out of PS. Case No.-178 Year-2021 Thana- MASHRAK District- Saran

OM PRAKASH SINGH Son of Late Mahendra Singh Resident of Village -
Near High School, Mashrakh, P.S.- Mashrakh, District - Saran.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioner	:	Mr. Vindhya Keshari Kumar, Senior Advocate. Mr. Ravi Shankar Pathak, Advocate.
For the State	:	Mr. Upendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

2 14-12-2021 The applicant/accused in Crime No.178 of 2021 registered with Police Station-Mashrakh for the offence punishable under Section 306 read with Section 34 of the Indian Penal Code, by this application is seeking his release on bail during the pendency of the trial.

Heard both sides and perused the materials placed before me.

The applicant is reported to be aged father-in-law of the deceased Shweta Gautam who died suicidal death on 30.03.2021 in her matrimonial house.

Statements of the witnesses prima show that there was constant quarrel between the deceased Shweta Gautam and her husband Sanjeev Kumar Singh. It is seen from the statements of



the witnesses that when the deceased Shweta Gautam committed suicide, parents of Sanjeev Kumar Singh were giving medical aid to Sanjeev Kumar Singh who was having head injury. Report of post-mortem examination of the deceased Shweta Gautam shows that she died because of asphyxia caused by hanging.

Considering the fact that the applicant is father-in-law of the deceased and he is of advance age so also looking into the nature of the evidence against him, further pretrial detention of the applicant is not warranted. However, this order should not be construed to mean that there is no evidence against the co-accused. Consideration here is old age of the applicant. Therefore, the following orders:

(i). The application is allowed.

(ii). The applicant/accused in Crime No.178 of 2021 registered with Police Station-Mashrakh for the offence punishable under Section 306 read with Section 34 of the Indian Penal Code, be released on bail on executing P.R. bond of Rs.10000/-(Rupees Ten Thousand) on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions:

(I). The applicant should not extend any threat, promise



or inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.

(II). The applicant should cooperate the trial in expeditious disposal of the trial against him.

(III). The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the appellant/accused.

(A. M. Badar, J)

P.S./-

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