

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38595 of 2021

Arising Out of PS. Case No.-10 Year-2020 Thana- PANJWARA District- Banka

NANDAN DAS Son of Naresh Das Resident of Village- Lakhpura, P.S.-
Panjwara, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha

For the Opposite Party/s : Mr.Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-09-2021 This matter is taken up for consideration through
Video Conferencing.

Heard both parties.

The petitioner seeks bail in Panjwara P.S. Case No. 10
of 2020, registered for the offence punishable under Sections
302, 120(B) and 34 of the Indian Penal Code.

As per the prosecution case, on 20.02.2020 at about
4.30, the informant received a call from villagers of Lakhpura
that his daughter died. On such information, when informant
reached Lakhpura he found the dead body of his daughter and
nobody was there at the home. From villagers he came to know
that petitioner who is Dewar (brother-in-law) of his daughter
(deceased) in drunken condition tried to make physical relation
with her and when she opposed, this petitioner pressed her
mouth and neck and killed her.



It is submitted on behalf of the petitioner that informant is not the eyewitness of the occurrence and has not disclosed the source of information on the basis of which he came to know about the occurrence. Petitioner is brother-in-law of the deceased and he is living separately from the deceased and his brother and has got no concern with the family affairs. Petitioner is having clean antecedent and he in custody since 29.02.2020. Investigation is complete.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to 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 learned 1st Additional District & Sessions Judge, Banka in connection with Panjwara P.S. Case No. 10 of 2020, subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

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

(Prabhat Kumar Singh, J)

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