

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2174 of 2020

Arising Out of PS. Case No.-29 Year-2020 Thana- MIRGANJ District- Gopalganj

Raj Kishore Singh Son of Jagarnath Singh @ Jagraynath Singh R/o Village -
Chhap Mathiya, P.S. - Mirganj, Dist. - Gopalganj.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Gajendra Kumar Singh
For the Respondent/s : Mr. A.G

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 05-02-2021 Heard learned counsel for the appellant and learned
counsel for the State.

The appeal is admitted.

In this appeal, the appellant is seeking regular bail in connection with Mirganj P.S. Case No. 29 of 2020 registered for offence punishable under sections 302, 120(b)/34 of the Indian Penal Code and sections 3 (2) (v) of SC/ST Act.

Allegation has been made that the appellant took away the husband of informant and thereafter he did not return. Later on, the informant was given information that her husband was found lying in unconscious condition and thereafter, she along with her family members went there and found her husband in unconscious condition and thereafter her husband was carried to her house and after sometime he died.



Learned counsel for the appellant submits that *post mortem* report shows that there is no injury on the body of the victim rather internal bleeding, duodenal ulcer and liver disease is the cause of death of the victim, but it has been converted as a case of murder. He further submits that the appellant is in custody since 03.02.2020.

Looking to the facts and circumstances of the case, including *post mortem* report, the impugned order dated 20.08.2020 is set aside.

Let the appellant above named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of 1st Additional Sessions Judge-cum-Special Judge, Gopalganj in connection with Mirganj P.S. Case No. 29 of 2020, subject to the condition that one of the bailors of the appellant shall be his close relative. The appellant will not induce any witness or tamper with the evidence. The appellant shall cooperate in the disposal of trial and make himself available as and when required by the court. In case of failure on two consecutive dates, the court below will have liberty to pass an order including cancel the bail of the appellant.

(Shivaji Pandey, J)

Mahesh/-

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

