

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34615 of 2020

Arising Out of PS. Case No.-32 Year-2019 Thana- KASMA District- Aurangabad

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Sanoj Kumar, aged about 25 years, male, S/o Chandradeo Prajapati, R/o
Village- Kasma, P.S.- Kasma, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 05-03-2021 Heard Mr. Shailesh Kumar Singh, learned
counsel for the petitioner and Mr. Ram Priya Sharan
Singh, learned APP for the State.

The petitioner seeks bail in connection with
Sessions Trial No. 389 of 2019 arising out of Kasma P.S.
Case No. 32 of 2019, dated 11.05.2019, instituted for
the offences under Sections 304(B)/34 of the Indian
Penal Code.



This Court had called for the case diary on 22.12.2020.

The accusation in the F.I.R. is that the informant, who is the father of the deceased, received information that because of the ill-treatment meted out to the deceased by her in-laws, she has consumed poison. On this information, when the informant along with the villagers reached the matrimonial home of the deceased, he came to learn that she had been administered poison by the petitioner and other members of his family.

On the basis of the aforesaid statement, a case *vide* Kasma P.S. Case No. 32 of 2019 was instituted for investigation.

During trial, none of the witnesses have supported the prosecution version and the informant, whose deposition has been produced for inspection of this Court today, reflects that he too has not supported the prosecution version. In fact, the informant has specifically stated that at no point of time was there any demand of dowry and that the petitioner always



maintained good relation with the deceased.

Considering the aforesaid statement of the informant, who is none else but the father of the deceased, this Court is inclined to grant bail to the petitioner during the pendency of the trial, but with certain conditions.

The petitioner, above-named, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Aurangabad in connection with in connection with Sessions Trial No. 389 of 2019, arising out of Kasma P.S. Case No. 32 of 2019, subject to the following conditions:

- (i) The petitioner shall participate in the trial;
- (ii) The absence of the petitioner from the trial proceedings on two consecutive occasions, without prior consent of the Trial Court, would render his bail liable to be cancelled; and
- (iii) The petitioner, without seeking permission



from the Trial Judge, shall not leave the territorial confines of the Trial Court.

With the aforesaid observation/direction, application stands disposed off.

The certified copy of the deposition of the informant be kept in the records of this case.

(Ashutosh Kumar, J)

Praveen-II/-

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