

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4393 of 2021

Arising Out of PS. Case No.-254 Year-2019 Thana- SUPAUL District- Supaul

Shobha Kant Pandit Son of Late Ramfal Pandit Resident of Village-Jagur
Babhangama, Police Station-Triveniganj, District-Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra

For the Opposite Party/s : Mr.Umesh Lal Verma,A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3. 06-04-2021 Heard learned counsel for the parties.

The petitioner seeks bail in Supaul P.S. Case No. 254 of 2019, registered for the offence under Section 302/34 of the Indian Penal Code.

As per the prosecution case, on 10.04.2019, this petitioner alongwith brother of the informant and one Jeetan Mahto went to have some toddy and thereafter, they returned in the night. It is further alleged that on the next morning, the brother of the informant was found dead and it was suspected that this petitioner, in collusion with the wife of brother of informant, has committed murder of informant's brother by strangulation, since this petitioner was having some illicit relation with the wife of brother of informant.

It is submitted on behalf of petitioner that petitioner has been made accused only on suspicion. Petitioner happens to



be brother-in-law of informant. It is further submitted that from perusal of *post-mortem* report, it appears that no sign of strangulation or external injury has been found on the person of the deceased. Petitioner claims clean antecedent and he is in custody since 08.07.2020. Chargesheet has been submitted.

Considering the fact that only on suspicion, petitioner has been made accused and clean antecedent of petitioner, the bail application of petitioner is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Supaul in connection with Supaul P.S. Case No. 254 of 2019, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

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

(Prabhat Kumar Singh, J.)

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