

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27083 of 2021

Arising Out of PS. Case No.-199 Year-2019 Thana- DIDARGANJ District- Patna

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JAIPAL SINGH @ JAIPAL KUMAR Son of Raj Kishore Singh Resident of
Village- Hiranandpur, P.S.- Didarganj, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Parashuram Singh, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 27-01-2022 Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and learned APP for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

Petitioner, who is in custody since 19.12.2020, seeks
regular bail in connection with Didarganj P.S. Case No. 199 of
2019 registered for offences punishable under Sections
304(B)/201/34 of the Indian Penal Code.

Prosecution case, in brief, is that the informant had
married his daughter Shruti Kumari (deceased) with Jaipal
Singh (petitioner) in the year 2018 according to Hindu rites and
rituals. From the date of the marriage, the petitioner along with
his family members started torturing and demanding one lac



rupees and a motorcycle. At last, all the accused persons named in the F.I.R. have assaulted the victim by means of *lathi*, *danda* and iron rod and the victim succumbed to death on 30.06.2019.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is the husband of the deceased. The allegation made against him is merely on suspicion. F.I.R. has been lodged on 01.07.2019 though the alleged death took place on 30.06.2019. All the family members of the deceased were present in the funeral including the informant and a false case has been lodged against the petitioner under Section 304(B). He further submits that all the witnesses in this case have supported the fact that the deceased had died due to diarrhea.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner. He has submitted that the *chaukidaar* as well as the informer has supported the allegation made in the F.I.R. who have stated that the petitioner along with his family members used to torture the victim/deceased and have committed murder of the daughter of the informant.

Considering the facts and circumstances of the case, prima facie it appears from the case diary that the deceased was suffering from diarrhea and all the family members including the informant, who is the father of the deceased, were present at



the time of funeral and there is no allegation of tampering the evidence or influencing the witnesses and trial is also not likely to be concluded soon due to Covid-19, the petitioner, above named, is directed to be enlarged on bail upon furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM V, Patna City in connection with Didarganj P.S. Case No. 199 of 2019 subject to the following conditions:

(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(iii) 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.

(Purnendu Singh, J)

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