

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32971 of 2021

Arising Out of PS. Case No.-435 Year-2020 Thana- KATEYA District- Gopalganj

SINTU SINGH Son of Lakshman Singh Resident of Village - Guriyaw, P.S.-
Kateya, District – Gopalganj.

.. ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indrajeet Bhushan, Adv

For the Opposite Party/s : Mr.Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 15-02-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State in virtual Court proceeding.

The petitioner seeks bail in connection with Kateya
P.S.Case No.435 of 2020 registered for the offence under
Sections 304(B), 201, 120(B) & 34 of the Indian Penal Code.

The prosecution case, in short, is that the marriage
of the sister, namely, Sabita Devi, of the informant was
solemnized with Pintu Singh on 12.06.2014 in accordance
with Hindu Rites and customs and a son and a daughter were
born with the wedlock of both the spouses. It is further stated
therein the written petition that in the year 2016, an F.I.R. was
lodged against matrimonial people of his sister in Mahila P.S.
The husband of his sister Sabita Devi is in Dubai. On



20.12.2020 at 12.30 in night, father-in-law Laxman Singh informed to his aunt by phone about ailment of Sabita Devi and her treatment is going on. Thereafter, on call by his Aunt, Dewar Sintu Singh informed that Sabita Devi has died. Thereafter, he alongwith his uncle, aunt and other relatives rushed to the Sasural of his sister where only Sas Yashodiya Devi was found present and villagers disclosed that the dead body of Sabita Devi has been cremated and thereafter, they rushed to cremation place and found that smoke was oozing out from soil. Informant has believed that Sas, Sasur and Dewar of Sabita Devi have killed her and disappeared her dead body.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. In fact, the petitioner is brother-in-law of the deceased (Dewar). He further submits that as per FIR there is general and omnibus allegation against all the accused persons. He further submits that there is no specific allegation against the petitioner and the police, after investigation, submitted chargesheet against the petitioner and other co-accused persons and the petitioner is in custody since 23.01.2021.



Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts, let the petitioner, above named, 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 Chief Judicial Magistrate, Gopalganj in connection with Kateya P.S. Case No.435 of 2020 with the following conditions:-

(1) 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 on his/her absence on two consecutive dates without sufficient reason, his/her 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.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the



acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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