

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33260 of 2021**

Arising Out of PS. Case No.-3 Year-2021 Thana- SAHEBPUR KAMAL District- Begusarai

GULSHAN KUMAR Son of Anil Das @ Anil Kumar Das Presently resident
of Village - Mirjapur, P.S. Ballia, District Begusarai, Permanent resident of
Village - Bihat, Jalelpur Tola, P.S. Barauni, Dist. Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam
For the Opposite Party/s : Mr.Yogendra Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

4 08-03-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in connection with Sahebpur Kamal P.S. Case No. 3 of 2021 registered for the offences punishable under Sections 302, 34 of the IPC.

The prosecution case in short is that marriage of informant's daughter was solemnized in the year 2015 with one Abhilash Kumar Das @ Avinash Kumar and after marriage she gave birth to two children. She further alleges that husband of her daughter lives at Darbhanga in connection with livelihood and her daughter along with her children were living in her



sasural. She further alleges that on the alleged date of occurrence, her daughter was found dead in her room and her children were found sleeping along with her.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case only on the basis of suspicion. He further submits that during investigation nothing has come against the petitioner. He further submits that deceased was a married lady having two sons. He further submits that petitioner is in custody since 22.01.2021.

The learned Additional Public Prosecutor on the basis of material on record and the case diary fairly submits that during investigation nothing has come against the petitioner and there is no eye witness of the alleged occurrence.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with Sahebpur Kamal P.S. Case No. 3 of 2021, subject to 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 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.

3. 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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