

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38555 of 2022

Arising Out of PS. Case No.-308 Year-2021 Thana- BELHAR District- Banka

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Ramu Kumar Singh Son of Yugal Singh @ Yougal Singh, R/o Village- Belhar,
P.S.- Belhar, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Adv.

For the Opposite Party/s : Mr. Asha Kumari, APP.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 01-11-2022 Let the defect(s), if any, be removed within two weeks

from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Belhar P.S. Case No. 308 of 2021, lodged under Sections 304-B,
328 & 34 of the Indian Penal Code.

As per prosecution case, the informant has alleged
that his daughter was subject to continuous torture from her
husband who is petitioner and other family members, in result
she committed suicide by consuming poison.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further
submits that from the F.I.R. itself, it transpires that petitioner
was not living at the house, rather he was used to do work
outside the State, and upon such occurrence he has returned
back. He further submits that F.I.R. has been lodged under

Section 304-B of I.P.C. but subsequently charge sheet has been filed under Section 306 of I.P.C. He also submits that petitioner is a man of clean antecedent and he is in custody since 06.05.022.

On the specific query that whether charge has been framed or not, learned counsel for the petitioner has shown his inability to inform the Court about the same.

Learned counsel for the State opposes the prayer for bail and submits that this case was lodged under Section 304-B of I.P.C. and petitioner is a husband. He also submits that charge sheet has been filed under Section 306 of I.P.C..

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner at present, but petitioner is at liberty to move for bail after framing of charge and the Trial Court is directed to release the petitioner on bail imposing its own conditions, so that he may not evade his appearance during trial.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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