

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49404 of 2021

Arising Out of PS. Case No.-386 Year-2019 Thana- TEKARI District- Gaya

AMIT KUMAR S/o Sri Vijay Singh R/o village- Bajitpur, P.S.- Tekari,
District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Singh, Sr. Advocate Mr. Binod Kumar, Advocate
For the Opposite Party/s	:	Mr. Ajay Kumar Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 18-04-2022 Heard learned Senior 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 11.02.2021, seeks
regular bail in connection with Tekari P.S. Case No. 386 of 2019
dated 28.10.2019 registered for offences punishable under
Sections 304 (B), 201 and 120(B) of the Indian Penal Code.

Prosecution story in brief is that informant had
solemnized the marriage of her daughter Soni Kumari
(deceased) with one Kundan Kumar on 06.05.2019. After
sometime, accused Kundan Kumar started demanding Rs. 1 lac
and a Pulsar Motorcycle in dowry and due to non-fulfillment of



the same, he along with other co-accused persons had committed murder of the daughter of the informant and cremated her dead body to destroy the evidence.

Learned Senior Counsel appearing on behalf of the petitioner submits that petitioner is elder brother of the husband of the deceased and he lives separately and he has no concern with the affair of the family of his brother or his wife (deceased). Petitioner has falsely been implicated in the present case because he is the family member of the husband of the deceased. Petitioner is in custody since 11.02.2021.

Learned A.P.P., for the State has opposed the prayer for grant of bail to the petitioner.

Considering the facts and circumstances of the case, period of custody of the petitioner, there is no allegation of tampering the evidence or influencing the witnesses and trial is also not likely to be concluded soon, the petitioner above named, who is brother-in-law of the deceased 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, VI, Gaya in connection with Tekari P.S. Case No. 386 of 2019 dated 28.10.2019 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.

(iv) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bond.

(Purnendu Singh, J)

Niraj/-

U		T	
---	--	---	--

