

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43863 of 2022

Arising Out of PS. Case No.-88 Year-2021 Thana- DANDKHORA District- Katihar

Sikandar Uraon Son of Murlidhar Uraon Resident of Village - Milik Tola,
Gurpahar, P.S.- Dandkhora, Distt.- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 25-11-2022 The case is heard through Video Conferencing.

The learned counsel for the petitioner is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner seeks regular bail in connection with Dandkhora P.S. Case No. 88 of 2021 registered for the offence punishable under Section 302 of the Indian Penal Code.

As per the prosecution, the informant's sister was strangled to death by this petitioner. Further it is alleged that this petitioner regularly tortured the deceased.

The main submissions advanced by learned counsel Mr. Sanjeev Kumar Singh appearing for the petitioner are that



the petitioner's marriage with the deceased took place in the year 2013 and during the course of investigation no legal evidence came out in respect of the alleged offence of murder under which the FIR was registered and after the investigation, the police concluded that the deceased committed suicide and accordingly submitted chargesheet under Section 306 of IPC and after the submission of chargesheet, the charge has been framed upon the petitioner and till now no prosecution witness has been examined in his case.

Learned APP Mr. Suresh Prasad Singh appearing for the State has opposed the bail prayer and submitted that the deceased had two children and after leading about 8 years of her marital life with this petitioner she was not expected to have committed suicide in normal circumstances and if the conclusion of the police is deemed to be true even then the circumstances appearing from the FIR clearly suggest that the victim committed suicide on account of the extreme situation and cruelty committed by this petitioner and moreover at the time of the death of the deceased, her two daughters were also sleeping with this petitioner in the same room and the said situation also goes against the police's finding of suicidal death of the deceased.



Heard both the sides and perused the FIR. Admittedly the death of the deceased took place after about 8 years of her marriage and the petitioner was chargesheeted under Section 306 of IPC as per the statement made in paragraph No. 12 of the petition and presently he is facing trial and upon him the charge has been framed by the Trial Court. Considering these facts as well as facts and circumstances of this case and above submissions, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let the petitioner 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 concerned Court in Connection with Dandkhora P.S. Case No. 88 of 2021.

(Shailendra Singh, J.)

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