

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.47443 of 2022**

Arising Out of PS. Case No.-173 Year-2022 Thana- BHORE District- Gopalganj

Kamlesh Singh son of late sitaram singh resident of lamichaur, p.s.- Bhore,
District - Gopalganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Prince Kumar Mishra, Advocate
For the Opposite Party	:	Mr. Zainul Abedin, APP
For the Informant	:	Mr. Indrajeet Bhushan, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 09-12-2022 Learned counsel for the petitioner undertakes to
remove all the defects as pointed out by the Stamp Reporter
within two weeks from today.

Heard learned counsel for the petitioner, learned
counsel for the informant and Mr. Zainul Abedin, learned APP
for the State.

The petitioner in this case is seeking regular bail in
connection with Bhorey P.S. Case No. 173 of 2022 registered
for the offence punishable under Sections 302,120(B), 201/34 of
the Indian Penal Code. He has no criminal antecedent and is in
custody since 21.04.2022.

Learned counsel for the petitioner submits that this
petitioner is a teacher. His daughter and son of the informant
had developed a love affair and they had allegedly fled away,



later on they were recovered and separated from each other. It is his submission that it may be a case of suicide. Nobody has seen this petitioner near about the deceased. The petitioner had not called the deceased and that is not the case of the prosecution. His dead body was found strangulating with a tree and the petitioner has been made accused in this case on mere suspicion.

He stated that the petitioner is in custody since 21.04.2022 and at this stage, the investigation is complete.

Learned counsel for the informant submits that even though the petitioner was not seen near the deceased but he was seen moving after the deceased had left his house. Learned APP for the State has also opposed the prayer for bail of the petitioner.

Having considered the facts and circumstances of the case, finding that as per the allegations nobody has seen the petitioner either calling the deceased or going behind him, the petitioner is a teacher and is already in custody since 21.04.2022, the investigation at this stage is complete and there being no submission that his release is likely to result in tampering with the evidence or interfering with the course of trial, this Court directs that the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees



Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Bhorey P.S. Case No. 173 of 2022, subject to the condition as laid down under Section 437 (3) Cr.P.C.

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 steps 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.

The application is allowed.

Certified copy of this order shall be made available only after removal of the defects.

(Rajeev Ranjan Prasad, J)

vats/-

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