

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.47964 of 2022**

Arising Out of PS. Case No.-92 Year-2022 Thana- AAJAM NAGAR District- Katihar

Dulai Chand Singh S/o Sushil Singh R/o village- Tamabadi, P.S.- Ajamnagar,
District- Katihar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Bimal Kumar, Advocate
For the State	:	Mr. Akhileshwar Dayal, APP
For the Informant	:	Mr. Rananjay Kumar, Advocate

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 09-12-2022 Learned counsel for the petitioner will remove all the defects as pointed out by office within two weeks from today.

Heard learned counsel for the petitioner, Mr. Rananjay Kumar, learned counsel for the Informant and Mr. Akhileshwar Dayal, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Ajamnagar P.S. Case No. 92 of 2022 registered for the offences punishable under Section 302, 120(B) of the Indian Penal Code. He is in custody since 15.04.2022. The petitioner has got no criminal antecedent.

Learned counsel for the petitioner submits that as per the prosecution story, on 13.04.2022 at 07:00 P.M., the daughter of the informant had gone outside from the house but she did not return home till late night. Thereafter, the informant and his



family members started searching and in course of search, his uncle Roti Singh disclosed that two days prior, the petitioner told him that he will elope his daughter but he told him that his marriage has already been settled and the father of the bride has given Rs. 60,000/- and also assured to give a motorcycle but the petitioner told that they will not ready to give the motorcycle, therefore, he will marry with his granddaughter. Thereafter, they started searching the petitioner and went to his house where his father told that his son has no hand in the alleged abduction. It is further stated that thereafter petitioner along with the informant and his family members started searching her and in course of search the petitioner told that he left her in a maize field but she could not be traced out. It is further alleged that in the next morning at 05:30 A.M., the villagers told the informant that his daughter is hanging with a mango tree upon which the informant went there and saw that his daughter is hanging with a mango tree and one wrist watch was found there. The informant claimed that the accused persons including this petitioner under a conspiracy killed his daughter and hanged her with a mango tree.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this



case. Learned counsel submits that there is no specific allegation of kidnapping against this petitioner and there is no eye-witness to the alleged occurrence. It is submitted that the petitioner is in custody in connection with this case since 15.04.2022 and he has no criminal antecedent.

Mr. Akhileshwar Dayal, learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein police has submitted a charge-sheet under Section 306 IPC, in the nature of the allegations and the fact that the investigation against the petitioner is complete and the petitioner is in custody since 15.04.2022, he has otherwise no criminal antecedent and he is ready to abide by such terms and conditions which may be imposed by this Court for the purpose of bail, 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, Katihar in connection with Ajamnagar P.S. Case No. 92 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.

This application is allowed.

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

(Rajeev Ranjan Prasad, J)

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