

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64125 of 2021

Arising Out of PS. Case No.-115 Year-2020 Thana- BAGENGOLA District- Buxar

1. GEETA DEVI @ MEENA DEVI W/o Bhushan Singh @ Bhubhushan Kumar Singh Resident of Village - Baradhi Dera, P.S.- Bagen Gola, Distt.- Buxar.
2. BHUSHAN KUMAR SINGH @ BHUSHAN SINGH Son of POhagu Singh Resident of Village - Baradhi Dera, P.S.- Bagen Gola, Distt.- Buxar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mohit Shriwastava

For the Opposite Party/s : Mr.Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

5 24-08-2022 Let the defect(s), as pointed out by the office, be removed within a period of four weeks from today.

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

The petitioners seek bail in connection with Bagen Gola P.S. Case No. 115 of 2020, G.R. No. 2653 of 2020 registered for the offences punishable under Sections 304(B), 120(B) and 34 of the Indian Penal Code.

As per prosecution case, there is allegation against petitioners and others for demand of dowry and torturing physically and mentally to informant's sister. It is further alleged that the informant came to know through phone that her sister



was died. Informant found black sign on neck of the victim and it is alleged that the petitioners and others committed murder of victim and found absconding leaving the dead body of the victim.

Learned counsel for the petitioners submits that petitioners are in custody since 28.08.2021. Petitioners bear no criminal antecedent. Charge sheet has already been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Learned counsel further submits that the petitioner no. 1 is Gotni and petitioner no. 2 is Bhaisur of the victim. Petitioners have been living separately from the deceased and her husband after one year of marriage and petitioners have no concern with the family affairs of the deceased. Allegation against the petitioners are general and omnibus. There is no eye witness of the said occurrence.

The learned A.P.P. for the State as well as learned counsel for the informant vehemently opposes the prayer for bail of the petitioners.

Considering the facts and circumstances of the case as well as period of custody, charge-sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence, petitioners have separate mess (as



submitted) and also taking into consideration the material available on record, let the petitioners above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concern court, where the case is pending, in connection with Bagen Gola P.S. Case No. 115 of 2020, G.R. No. 2653 of 2020 subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioners will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

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