

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65827 of 2021

Arising Out of PS. Case No.-18 Year-2020 Thana- SAHAJITPUR District- Saran

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BINOD CHOUDHUR @ BINOD SINGH S/o Bamdeo Caudhur, Resident of
Village- Maujegaon, P.S.- Sahajitpur, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anjani Parashar, Advocate

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 12-10-2022 Let the defect(s), if any, be removed within two weeks
from today.

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

The petitioner seeks regular bail in connection with
Sahajitpur P.S. Case No. 18 of 2020 lodged under Sections 302,
120(B) and 201/34 of the Indian Penal Code.

As per F.I.R., it has been alleged by the informant that
his son was visited to her *sasural* and at a nearby place his dead
body in half burn stage was recovered in the southern area of
village- Panchmahla. The apprehension has been made by the
informant that the wife of deceased and her family members
have committed this offence in connivance with each other.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He further submits that marriage of the petitioner's sister was solemnized with the deceased who used to reside at Mumbai. In the morning of 29.02.2020 there was a dispute taken place and the petitioner and others visited for negotiation, negotiation took place and matter settled. Learned counsel for the petitioner further submits that the dead body of the deceased was recovered near village-Panchmahla whereas petitioner is resident of Mauza Gaon and they are completely unaware from this event and basically shocked to listen about the said event, because due to death of the informant's son, petitioner's sister became widow. Learned counsel further submits that petitioner's sister has two kids, the daughter used to reside at her *Nanihal* and son was residing at father's house where he was found dead for which another case has filed. Learned counsel further submits that antecedent of the petitioner is clean and he is in custody since 27.08.2021.

Learned counsel specifically submits that entire case is based on suspicion and there is nothing against the petitioner.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of the case and

the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. District & Sessions Judge-V, Saran at Chapra in connection with Sahajitpur P.S. Case No. 18 of 2020, corresponding Sessions Trial No. 382 of 2021 subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file an affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands

allowed.

(Dr. Anshuman, J.)

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