

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71524 of 2021

Arising Out of PS. Case No.-67 Year-2018 Thana- MAHUA District- Vaishali

Sanjay Kumar Son Of Rameshwar Das, Resident Of Village- Saidpur, P.S-
Mahua, Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar, Advocate

For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 13-10-2022 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
Mahua P.S. Case No. 67 of 2018 lodged under Sections 302,
328 and 506/34 of the Indian Penal Code.

As per prosecution, the informant has disclosed that
the marriage of his daughter was solemnized with the petitioner
in the year 2017. After marriage informant's daughter were
started residing with her husband at her sasural. After the said
marriage, it was disclosed that the son-in-law of the informant
has already been married with a lady namely, Shobha Kumari.
The allegation is upon the family of Shobha Kumari to remove

the informant's daughter. In the F.I.R. the allegation has been made against Shobha Kumari that she has provided poison in her food, in result the informant's daughter died. The allegation of conspiracy is against the father and maternal uncle of Shobha Devi and not against the present petitioner.

Learned counsel for the petitioner submits that this case was filed under section 302, 328, 506/34 of the I.P.C. but subsequently charge sheet has been filed under sections 306/494 of the I.P.C.. He further submits that there is no allegation in the F.I.R. against the petitioner, whatever the allegation is against Shobha Devi. Petitioner has made accused in this case only and only due to the reason that he is husband. Learned counsel further submits that in the entire content of fardbeyan the name of petitioner has not been disclosed by the informant. He further submits that petitioner is in custody since 15.07.2021 having one criminal antecedent against him in which he is on bail.

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 Chief Judicial Magistrate, Vaishali at Hajipur in connection with Mahua P.S. Case No. 67 of 2018, subject to the conditions as laid down under Section 437(3) of Cr.P.C..

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

ravishankar/-

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