

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4054 of 2023

Arising Out of PS. Case No.-476 Year-2022 Thana- BARUN District- Aurangabad

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Anil Singh @ Anil Kumar Singh, Son Of Rajendra Singh, R/O Village-
Koshdihra, P.S.- Barun, District- Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Aman Vishal
		Ms. Leelawati Kumari
For the State	:	Mr. Murli Dhar, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 08-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 306/34 of the Indian Penal Code.

As per prosecution case, firstly marriage of the petitioner was solemnized with sister of the informant, namely, Sila Devi and out of the said wedlock there were two children, namely, Piyush Kumar and Shalini Kumari. It is further alleged that after death of petitioner's first wife, he solemnized second marriage with Kanchan Devi. In connivance with Kanchan Devi, petitioner used to torture mentally and physically to both the children. On 31.10.2022, due to excessive torture made by her step mother namely, Kanchan Devi, Shalini Kumari



committed suicide by hanging herself with *dupatta* from ceiling fan.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. No specific allegation has been attributed to the petitioner. As per F.I.R., specific allegation is against co-accused Kanchan Divi. During course of investigation, two letters written by the deceased have been seized, about which it is mentioned in para 21 of the case diary and in para 41 of the case diary, statement of witness Rajendra Singh has been recorded and he has not made any allegation against the petitioner. Prior to the alleged occurrence, there is no complain regarding harassment made by the petitioner. No consistent evidence of abatement has come against the petitioner during investigation. He has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 01.11.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody of the petitioner, this court is inclined to



enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Barun P.S. Case No. 476 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad (Bihar).

(Sunil Kumar Panwar, J)

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