

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32154 of 2023

Arising Out of PS. Case No.-223 Year-2022 Thana- ARWAL District- Jehanabad

=====

BABLU KUMAR @ BABLOO KUMAR S/O RAMLAL CHAUDHARY @
RAMLAL CHAUDHARI R/O Village- Alawalpur, P.S- Kurtha, Distt.- Arwal.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Raju Kumar, Advocate
For the Opposite Party/s : Mr. Bharat Bhushan, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 23-08-2023 Heard the parties.

The petitioner is in custody since 07.06.2022 in connection with Arwal P.S. Case No. 223 of 2022 for the offence punishable under Section 302 of the IPC, lodged on 20.05.2022 by the informant, Ramdas Devi.

As per the prosecution story, the lady alleged that she is blessed with two sons, one staying at the same place but separately, the other does labour work in Karnataka where his wife Sujanti Devi (deceased) also lived.

Lately, the lady Sujanti Devi had come to her place and she found a young boy present in the house and upon enquiry, she claimed him to be her cousin. She later took him in her room. Next morning, as the daughter-in-law did not come out of her room, the informant went



inside and found her dead. She had strong suspicion that the boy killed the lady. Accordingly, the FIR.

The police investigated the matter, in which the petitioner was picked up, he confessed to the crime but narrated the entire story in the 164 Cr.P.C. statement in which he has stated that the lady was talking to some unknown person. Since it was seen by him, she tried to press his neck and in defence, he also pressed her neck which led to her death. He did not wanted to kill her but it happened.

Learned APP opposes the prayer and drawn attention to this Court to the said deposition of the petitioner dated 07.06.2022 which is part of the case diary to show that he has already confessed to the crime.

Taking into account the aforesaid facts as narrated in 164 of the Cr.P.C. the petitioner at the time of occurrence was 19 years old, he does not have criminal antecedent, has remained in custody since 07.06.2022 (as stated in paragraph-16 of the petition) and will be diligently appearing in the trial, putting him in trial with hardened criminal will not be proper and as such this Court is



inclined to extend him the privilege of bail with conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned District and Session Judge, Jahanabad in connection with Arwal P.S. Case No. 223 of 2022 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for next one year to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;



(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Jagdish/-

U		T	
---	--	---	--

