

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45305 of 2022

Arising Out of PS. Case No.-100 Year-2022 Thana- GARKHA District- Saran

PRAMOD SINGH SON OF MUNSHI SINGH R/O VILLAGE- ADHU PUR,
P.S.- GARKHA, DISTRICT- SARAN AT CHAPRA

... .. Petitioner/s
Versus
THE STATE OF BIHAR Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Tej Pratap Singh, Advocate
For the Opposite Party/s	:	Mr.Kalyan Shankar, APP
For the Informant	:	Mr.Sanjay Kr. Pandey, Advocate
	:	Mr.Sudhanshu Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 10-01-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in
connection with Garkha P.S. Case No. 100 of 2022
for the offence registered under Sections 302, 201
and 34 of the Indian Penal Code.

The allegation is regarding the marriage of
the deceased victim lady having been solemnized
with the petitioner in the year 2014 i.e. about eight
years back, whereafter, out of the wedlock, three
children were born, nonetheless, the petitioner and
the other accused persons i.e. his family members
used to harass the deceased victim lady on
account of non-fulfilment of the demand for dowry



and finally the informant, who is the mother of the deceased victim lady came to know on 16.02.2022 at 3:00 P.M. that her daughter has been killed by the accused persons.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, is having a clean antecedent and he is languishing in custody since 19.02.2022. Nonetheless, it is submitted that not a single witness has deposed before the police, belonging to the place where the occurrence had taken place so as to implicate the petitioner in the alleged crime. It is also submitted that even the three daughters of the petitioner have not deposed against the petitioner, hence the presumption is that the petitioner has not killed his wife and in fact she had died on account of natural cause. It is further submitted that the petitioner is working in Dubai and was receiving good salary, whereafter he had also opened a bank account in the name of his wife and it is the undertaking of the petitioner that all his three daughters would



have share in his property. Lastly, it is submitted that the petitioner is always ready and willing to maintain her children with due honour and dignity.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the materials available in the case diary, this Court finds that there is minuscule evidence to *prima facie* connect the petitioner with the alleged crime, hence, though I deem it fit and proper to admit the petitioner to the privilege of bail but at the same time I also consider it apt to grant liberty to the informant to move this Court for cancellation of bail of the petitioner in case the petitioner does not maintain his three daughters in an appropriate manner.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail



bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Saran at Chapra in connection with Garkha P.S. Case No. 100 of 2022.

(Mohit Kumar Shah, J)

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