

B.A. No. 9119 of 2013

• • • • •

Versus

... ... Opposite Party

CORAM: HON'BLE MR. JUSTICE SHREE CHANDRASHEKHAR

For the Petitioner : Mr.Hemant Kr. Shikarwar & Nemsh Kumar,
Advocates

For the State : Mr. Md. Hatim, A.P.P.

03/30.09.2013 Heard learned counsel appearing for parties and perused the documents on record.

Learned counsel appearing for the petitioner while referring to page no. 8 of the paper-book has submitted that the petitioner has been made an accused in connection with Ichak P.S. Case no. 121 of 2013, corresponding to G.R. No. 2487 of 2013 registered under Sections 328/302 of the Indian Penal Code.

The learned counsel appearing for the petitioner submits that from bare perusal of the First Information Report, it would appear that only on suspicion, the name of the petitioner has been implicated in the present case. In the First Information Report itself, it has been mentioned that the victim-child had gone to the house of the sister-in-law of the informant. Though, it has been claimed in the First Information Report that poison was administered to the child, from the impugned order, it would not appear what was the cause of death. It has also not been claimed by the complainant that the victim-child was with her sister-in-law and therefore, she alone would have administered poison to the child. He has further submitted that the charge-sheet has been filed in the present case and the petitioner is in judicial custody since 26.7.2013 and therefore, the petitioner may be enlarged on bail.

Learned counsel appearing for the State has opposed the prayer for grant of bail.

In the facts and circumstances of the case and in view of the submissions made by the learned counsel for the petitioner, 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 Sri Sanjay Kumar Choudhary, Judicial Magistrate Ist Class, Hazaribag, or his successor in connection with Ichak P.S. Case no.

121 of 2013, corresponding to G.R. No. 2487 of 2013.

Needless to say that, in addition to the conditions as prescribed under Section 437 Cr.P.C., the learned trial court would impose other conditions, if required.

(Shree Chandrashekhar, J.)

Satyarthi

