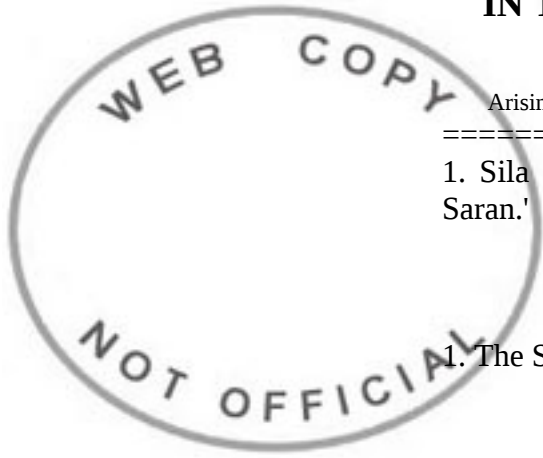




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32600 of 2015

Arising Out of PS.Case No. -47 Year- 2015 Thana -CHAPRA MUFFASIL District- SARAN

=====

1. Sila Manjhi S/o Kalu Manjhi R/o Village Baghi, P.S. Khaira, District Saran.'

..... Petitioner/s

Versus

1. The State of Bihar

..... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anant Kumar Bhaskar

For the Opposite Party/s : Mr. Asha Kumari(App)

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 09-11-2015 Heard the learned counsel for the petitioner as well as the learned A.P.P.

The petitioner seeks bail in a case for the offences punishable under sections 328 and 302 of the I.P.C

Allegedly, Lالبابو Manjhi, the son of the informant was taking drink at the house of the petitioner and in the liquor poison was mixed resulting Lالبابو Manjhi became senseless and when he was being brought for treatment at Chapra he died.

Submission is of false implication and that there is no eye witness of the occurrence and only on the basis of suspicion the petitioner has been implicated resulting he is suffering in custody since 20.03.2015. The informant is also not an eye witness

and only on suspicion the petitioner has been named. The informant after knowing the reality has filed compromise petition in the court below. In postmortem examination also no injury has been found on the person of the deceased and the cause of death was not ascertained. Visceras were preserved but without chemical report, Charge sheet has already been submitted and as such there is no chance of tampering with the prosecution evidence.

The learned A.P.P. opposes prayer for bail by submitting that the petitioner is named in the F.I.R. but fairly submits that the informant is not an eye witness and Pradip Manjhi is also hear-say witness.

In the facts and circumstances as stated above, considering that charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence and as such the petitioner 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 C.J.M. Saran at Chapra in Muffasil (Chapra) P.S. Case No. 47 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two

consecutive dates on his part without any reason shall disentitle
the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

Abhay/-

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