

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.5609 of 2016

Arising Out of PS.Case No. -129 Year- 2015 Thana -NOKHA District- SASARAM (ROHTAS)

1. Guddu Paswan S/o Ramayan Paswan Resident of Village- Shrikhinda,
P.S.- Nokha, Distt- Rohtas (Sasaram)..... Petitioner

Versus

1. The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Chhote Lal Mishra

For the Opposite Party/s : Mr. Shyam Kumar Singh (App)

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 31-03-2016 Heard learned counsel for the petitioner and learned APP
for the Sate.

The petitioner seeks bail in connection with Nokha P.S.
Case No. 129 of 2015 registered for the offences punishable under
Sections 302, 201 of the Indian Penal Code.

Allegedly, the petitioner after taking drink used to assault
his wife and it reveals that the petitioner after killing his wife has
thrown the dead body. During investigation the dead body was
recovered and the doctor has found the cause of death due to
hemorrhage and neurogenic shock and injuries were also found on
her person.

Submission is of false implication and that the petitioner
has never assaulted his wife, he has been made victim of
circumstances, the wife of the petitioner consumed poison herself
and the petitioner was bringing her for treatment but she died and

this fact has come during investigation vide paragraph 11, 12 and 13 of the case diary.

Learned APP opposes the prayer of bail by pointing out the post mortem report.

In the facts and circumstances stated above, considering that some of the witnesses have stated that the deceased consumed poison herself and further chargesheet has already been submitted and there is no chance of tampering with prosecution evidence, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge VII, Rohtas at Sasaram in S. Tr.No. 649 of 2015 arising out of Nokha P.S. Case No. 129 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)

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