

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.3553 of 2016

Arising Out of PS.Case No. -87 Year- 2013 Thana -FATEHPUR District- GAYA

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1. RAJU MANJHI son of Bihari Manjhi, resident of village- Ketra, P.s.- Fatehpur, District- Gaya.... Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjay Kr. Sinha

For the Opposite Party/s : Mr. Smt. Suman Kumari Singh(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 17-03-2016

Heard learned counsel for the petitioner and learned counsel representing the State.

The petitioner seeks bail in connection with Fatehpur P.S. Case No. 87 of 2013 registered for the offences punishable under Sections 302, 201/34 of the Indian Penal Code.

Sunita Devi was married to petitioner and out of the wedlock there are three sons and three daughters and allegedly, the petitioner and co-accused burnt Sunita Devi to death and fled away.

Submission is of false implication and that there was cordial relation between the petitioner and his wife, due to trivial dispute the wife of the petitioner burnt herself and the petitioner tried his best to put off the fire and the petitioner also received burn injury but the wife of the petitioner could not be saved. The witnesses during investigation vide paragraph 7, 8 and 9 of the

case diary have stated similarly and the petitioner being the poor labourer is suffering in custody since 15.04.2013 and in near future the trial is not likely to be concluded.

Learned APP fairly submits that some of the witnesses have not supported the prosecution version but some of the witnesses have supported the prosecution version.

In the facts and circumstances stated above, 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 Adhoc Additional Sessions Judge II, Gaya in S. Tr. No. 43 of 2014 / 129 of 2014 arising out of Fatehpur P.S. Case No. 87 of 2013, 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.

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(Jitendra Mohan Sharma, J)

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