

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3978 of 2016

Arising Out of PS.Case No. -418 Year- 2015 Thana -KRITYANAND NAGAR District- PURNIA

1. Dhaniram Maraiya @ Rajendra Maraiya Son of Laxman Maraiya resident
of village Jhagarwa, P.S. K.Nagar, (Shree Nagar) District- Purnea.

.... Petitioner

Versus

1. The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh

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

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

3 18-03-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with K. Nagar P.S.
Case No. 418 of 2015 registered for the offence punishable under
Sections 302/34 of the Indian Penal Code.

The petitioner and other co-accused in drunken condition
used to come at the house of the informant making noise and for that
the petitioner and other co-accused were asked not to come at the
house, resulting, they have caused threats to the husband of the
informant and it appears that they have killed the husband of the
informant.

Submission is of false implication and that the informant is
not the eye witness of the occurrence, only on suspicion the petitioner
has been named, during investigation also besides suspicion nothing has
come, there is no eye witness of the occurrence or no one has come to

say that the petitioner was seen with the deceased just before the occurrence and as such the petitioner who is suffering in custody since 30.08.2015 deserves sympathetic consideration as chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence.

Learned APP after going through the case diary submits that earlier the petitioner and other co-accused have caused threats to the husband of the informant and later on he was killed.

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 Additional Sessions Judge IVth, Purnea in S. T. No. 551 of 2015 arising out of K. Nagar P.S. Case No. 418 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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