

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4700 of 2016

Arising Out of PS.Case No. -310 Year- 2015 Thana -JAMUI District- JAMUI

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1. Sunil Pandit son of Late Mahesh Pandit, resident of village- Nauakura, P.S.- Jhajha, District- Jamui at present resident of village- Ujhandi, P.S. and District- Jamui

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar

For the Opposite Party/s : Mr. G.S.Gupta(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 20-04-2016

Heard the learned counsel for the petitioner as well as the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences punishable under sections 302 and 201 of the I.P.C

Allegedly, on the basis of the fardbeyan of Mithilesh Rawat, First Information Report has been registered against unknown for the recovery of dead body of a man aged 50 years. During investigation the dead body was identified as of Budhan Pandit and further the witnesses have stated that the petitioner being the son-in-law of the deceased was having greedy eyes over 4 kathas of land of the deceased situated at Lakhisarai road and for that the deceased might have been murdered.

Submission is of false implication and that besides suspicion there is nothing against the petitioner, the deceased was

having only one daughter and as such the wife of the petitioner was the legal heir so it cannot be suspected that the petitioner will commit murder of his father-in-law, without any legal and tangible material the petitioner is suffering in custody since 23.11.2015, charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The learned A.P.P. fairly submits that some of the witnesses have raised suspicion against the petitioner and there is circumstantial evidence against the petitioner.

In the facts and circumstances as stated above, 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. Jamui in Jamui P.S. Case No. 310 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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