

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13988 of 2016

Arising Out of PS.Case No. -391 Year- 2015 Thana -JAHANABAD District- JEHANABAD

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Madho Kumar S/o Ramchandra Rout, R/o Village- Gonasa, P.S.- Jehanabad
(Kalpa O.P.), Dist- Jehanabad.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Rashmi Kumari Mandilwar, Advocate
For the Opposite Party/s : Mr. Ram Naresh Roy(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 17-05-2016 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 326 and 302/34 of the Indian Penal Code.

The petitioner is not named in the first information report wherein it is alleged that Monu Raut, the son of the informant was burnt to death by his wife and other in-laws. During investigation, the name of the petitioner transpires.

Submission is of false implication and that there is no eye witness of the occurrence, the deceased committed suicide as his wife did not agree to go with him, co-accused Ajanti Devi has already been allowed bail and the petitioner is suffering in custody

since 8.1.2016 having no criminal antecedent.

The learned A.P.P. submits that during investigation, it has come that the wife of the deceased was having illicit relationship with the petitioner.

In the facts and circumstances 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, 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 Chief Judicial Magistrate, Jehanabad in connection with Jehanabad P.S. Case No.391 of 2015, subject to the conditions that one of the bailors must be 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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