

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14978 of 2016

Arising Out of PS.Case No. -113 Year- 2015 Thana -BACHWARA District- BEGUSARAI

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1. Jogi Rai Son of Late Narayan Rai resident of village - Bhagwanpur
Diyara, P.S. Bachhawara, District - Begusarai Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Hare Krishna Prasad

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

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

ORAL ORDER

3 18-05-2016 Heard learned counsel for the petitioner and learned APP
for the Sate.

The petitioner seeks bail in connection with Bachwara
P.S. Case No. 113 of 2015 registered for the offence punishable
under Sections 364/34 of the Indian Penal Code.

Allegedly, the husband of the informant was living at the
house of the petitioner and he has kept Rs. 60,000/- after selling
the cow and she buffalo and it is believed that the petitioner and
his wife Jamuni Devi killed the husband of the informant to grab
the amount and made the dead body traceless.

Submission is of false implication and that there is no eye
witness, only on suspicion the petitioner has been implicated, the
petitioner has voluntarily surrendered on 06.02.2016 and since
then he is in custody. The dead body has also not been recovered
and as such the petitioner deserves sympathetic consideration to

which learned APP opposes by submitting that blood stained mosquito net and pillow were recovered from the house of the petitioner and further blood stained khurpi was also seized from the courtyard, blood stained soil was also seized which is evident from paragraph 7 and 11 of the case diary but the copy of seizure list shows only the seizure of blood stained soil.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and there is no chance of tampering with the 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 Sri Pankaj Pandey, Judicial Magistrate Ist Class, Begusarai in connection with Bachhawara P.S. Case No. 113 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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