

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38675 of 2015

Arising Out of PS.Case No. -18 Year- 2014 Thana -RAUTARA District- KATIHAR

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1. Bholu Munda S/o Santlal Munda @ Heera Munda, R/o- Binodpur
Muriyari Tola, P.S.- Rautara, Distt- Katihar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh

For the Opposite Party/s : Mr. R.P.S. Singh (App)

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

ORAL ORDER

5 27-01-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Rautara
P.S. Case No. 18 of 2014 registered for the offences punishable
under Sections 328 and 302 of the Indian Penal Code.

Ravina Devi, the younger daughter of the informant
was married to petitioner six months ago and due to some dispute
the petitioner assaulted her and further administered thymate after
mixing the same in rice resulting she died.

Submission is of false implication and that the elder
daughter of the informant is also married in the same house, there
was cordial relation between the petitioner and the wife but due to
some dispute, she herself consumed thymate resulting her death
and, as such, the petitioner who is suffering in custody since

22.02.2015, deserves sympathetic consideration as the informant after knowing the reality has filed compromise petition also in the court below vide annexure-3.

The learned A.P.P. after going through annexure-3 fairly submits that now the informant is not ready to support the prosecution case.

In the facts and circumstances stated above, considering that now the informant is retracting from his earlier version 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 the Learned Judicial Magistrate, 1st Class, Katihar arising out of Rautara P.S. Case No. 18 of 2014 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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