

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48137 of 2015

Arising Out of PS.Case No. -81 Year- 2015 Thana -PARSAUNI District- SITAMARHI

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Md. Abulaish Mansoori @ Md. Abulaish Manoori son of Md. Sukhari
Mansoori, R/o Village- Dema, West Tola, P.S.- Parsauni, District-
Sitamarhi

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Adv.

For the Opposite Party/s : Mr. Prem Kr.Jha(App)

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

3 18-01-2016 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Parsauni
P.S. Case No. 81/2015 registered for the offences punishable
under Sections 302, 120B/34 of the Indian Penal Code.

Allegedly, the petitioner called the husband of the
informant, thereafter he was killed at village Dema.

Submission is of false implication due to earlier dispute,
the petitioner has never called the husband of the informant, as a
matter of fact, the husband of the informant was caught by the
villagers at the time of committing theft and he was brutally
assaulted by the mob resulting he sustained injury and later on

died and this fact has been supported by the witnesses, vide paras 11, 14, 22 and 25 of the case-diary.

Learned A.P.P. opposes the prayer of bail by submitting that the petitioner has called the deceased and got killed him after making conspiracy.

In the facts and circumstances stated above, considering that during investigation it has come that the husband of the informant was assaulted by villagers causing injury to him resulting, he died 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 Chief Judicial Magistrate, Sitamarhi in connection with Parsauni P.S. Case No. 81 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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