

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48869 of 2015

Arising Out of PS.Case No. -62 Year- 2004 Thana -IMAMGANJ District- GAYA

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1. Badhan Bhuiya Son of Late Sukhlal Bhuiya, Resident of Village -
Dubhal, P.S. - Imamganj, District - Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha

For the Opposite Party/s : Mr. Meena Singh(App)

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

4 29-01-2016 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 201/34 of the I.P.C

Sarswati Devi, the daughter of the informant, was
married to Sahdeo Bhuiya who went to Delhi to earn his
livelihood and then the petitioner and other co-accused assaulted
the daughter of the informant and ultimately killed her and threw
the dead body in the Well.

Submission is of false implication and that during
investigation it has come that the deceased was having illicit
relationship with co-villager Govind Bhuiya and both were caught
in objectionable condition resulting they were assaulted by the
villagers and then the daughter of the informant committed suicide

after jumping into the Well and on the relevant date the petitioner was at Delhi. The learned counsel for the petitioner has referred paragraphs- 15, 16, 17 and 18 of the case diary in this regard.

The learned A.P.P. fairly submits that the witnesses in those paragraphs have not supported the prosecution version but other witnesses have supported.

In the facts and circumstances as stated above, considering that after completing investigation charge sheet has been submitted under section 306/34 of the I.P.C. and as such considering detention of the petitioner since 06.08.2015, now he 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 S.D.J.M. Sherghati at Gaya in Imamganj P.S. Case No. 62 of 2004/ Trial No. 863 of 2014, 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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