

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32150 of 2016

Arising Out of PS.Case No. -444 Year- 2013 Thana -SASARAM MUFFSIL District- SASARAM
(ROHTAS)

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Santosh Sah @ Hanuman S/o Chandra Sah, R/o village - Karam Dehari,
P.S. Sasaram Muffasil, District - Rohtas

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deovind Kumar Singh, Advocate

For the Opposite Party/s : Ms. Renu Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 19-10-2016

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the
offences under Sections 302/34 of the I.P.C.

The prosecution story, in brief, is that on the alleged
date and time of occurrence the informant got information that his
wife Lalmuni Devi has been killed by slitting his neck. On this
information he came to his house and saw the dead body of his
wife.

A report was called for from the court below regarding
the stage of the case. It has been reported that out of thirteen
witnesses seven witnesses have already been examined.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 13.11.2013 i.e. for about three
years. The last witness was examined in the present case on
29.7.2015. Thereafter no witness has been produced on behalf of

the prosecution and due to non-cooperative attitude on the part of the prosecution the petitioner is being kept behind the bar. The petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. Except for the confessional statement of co-accused and a suspicion being raised against him, there is no substantive evidence to suggest his implication in the present case.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R. and in course of investigation he has been made accused in the present case.

Considering the aforesaid facts and circumstances, it is directed that the petitioner above named 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 learned Additional Sessions Judge VIIIth, Rohtas, Sasaram in connection with Sessions Trial No.463 of 2013 arising out of Sasaram Mufasil P.S. case No.444 of 2013.

(Sudhir Singh, J)

Narendra/-

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