IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5675 of 2016

Arising Out of PS.Case No. -50 Year- 2015 Thana -CHENARI District- SASARAM (ROHTAS)

==========

1. Sonu Hazam son of Kadrus Hazam resident of Vill.- Kurmabad, P.S.- Chenari, Dist.- Rohtas

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

==========

Appearance :
For the Petitioner/s : Mr. Ashok Kumar Pandey
For the Opposite Party/s : Mr. P.K. Chourasiya (App)

==========

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

WEB COPY NOT OFFICIAL

4 05-04-2016 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 376, 302, 201 and 34 of the I.P.C

Allegedly, the wife of the informant went to cut grass but she did not return and her dead body was found. The petitioner was also there and he told the informant regarding the dead body of a woman. During investigation the petitioner confessed his guilt and disclosed that he has killed the wife of the informant at the instance of the informant and the informant has paid Rs. 60,000/- to him for killing his wife.

Submission is of false implication and that besides suspicion and the alleged confessional statement there is nothing against the petitioner, there is no eye witness of the occurrence and without any legal and tangible material the petitioner is

suffering in custody since 01.04.2015, whereas, the informant who was made accused has already been allowed bail vide Cr. Misc. No. 41723 of 2015.

The learned A.P.P. opposes prayer for bail by submitting that the petitioner has got criminal antecedent and earlier he has fled away from the remand home which is evident from paragraph- 35 of the case diary.

In the facts and circumstances as stated above, considering that charge sheet has been submitted and there is no chance of tampering with the prosecution evidence, the informant who was made co-accused has already been allowed bail and as such the petitioner 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 Sri Ranjeet Kumar, J.M. 1st Class, Sasaram, Rohtas in Chenari P.S. Case No. 50 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)

Abhay/-

U		T	