

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14541 of 2016

Arising Out of PS.Case No. -592 Year- 2015 Thana -FORBESGANJ District- ARRARIA

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1. Musahru Das S/o Dohgi Das, R/o Village Ramai, Baluwa Tola, P.S.-
Simraha (Forbesganj), District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Pandey

For the Opposite Party/s : Mr. R.B.Roy Raman(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

3 13-05-2016 Counter affidavit has been filed on behalf of the

informant annexing the compromise petition. Let it be kept on the

record.

Heard the learned counsel for the petitioner, the

learned A.P.P for the State as also the learned counsel for the

Informant.

The petitioner seeks bail in a case for the offence

punishable under section 302/34 of the I.P.C

Allegedly, Mahendra Das was lying dead in the

courtyard of Ranju Devi and Ranju Devi told the informant that

the petitioner, co-accused Satya Narayan Das and Rajia Devi had

burnt Mahendra Das by sprinkling kerosene oil. The motive

behind the occurrence is the land dispute.



Submission is of false implication due to the land dispute, the informant is not an eye witness of the occurrence, during investigation no eye witness has come forward to say that the petitioner burnt the deceased, during investigation the statement of Ranju Devi was recorded by the Investigating Officer, during supervision it has come that Ranju Devi has stated that she saw fleeing away the petitioner and others, now good sense has prevailed and the informant after realizing the truth has filed compromise petition and further several villagers have also filed petition before the Superintendent of Police, Araria regarding false implication of the petitioner and others due to the land dispute, vide Annexure-2.

The learned counsel for the informant is present and he has got no objection in releasing the petitioner on bail.

In the facts and circumstances as stated above, considering that charge sheet has already been submitted and as such considering detention of the petitioner, 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 C.J.M. Araria in Forbesganj P.S. Case No. 592 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)

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