

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45041 of 2015

Arising Out of PS.Case No. -175 Year- 2015 Thana -WARSALIGANJ District- NAWADA

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1. Sachin Raut Son of Suresh Prasad Raut Resident of village - Balbapar
Sherpur, P.S. Warisaliganj, District - Nawada

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma

For the Opposite Party/s : Mr. Anil Kumar(App)

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

5 04-01-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Warsaliganj
P.S. Case No. 175 of 2015 registered for the offence punishable
under Sections304B/34 of the Indian Penal Code.

Pinki Devi the sister of the informant was married with
the petitioner and allegedly, she was poisoned to death by the
petitioner and other FIR named accused persons.

Submission is of false implication and that during
investigation the witnesses vide paragraphs 11, 12, 13, 14, son of
the deceased vide paragraph 15, the daughter of the deceased vide
paragraph 16 and another daughter of the deceased vide paragraph
17 of the case diary have not supported the prosecution version.



They have stated that the deceased died due to illness and further it has come that at the time of occurrence the petitioner was on his duty vide paragraph 13 of the case diary. The doctor during post mortem examination has also not found any visible injury on the person of the deceased and the cause of death has not been ascertained and as such the petitioner who is suffering in custody since 16.07.2015 deserves sympathetic consideration to which the learned APP does not opposes.

In the facts and circumstances stated above, considering that the three children of the deceased and other independent witnesses have not supported the prosecution version, chargesheet has already been submitted and there is no chance of tampering with prosecution evidence 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 Sri Sharad Chand, Judicial Magistrate Ist Class, Nawada in connection with Warsaliganj P.S. Case No. 175 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.

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(Jitendra Mohan Sharma, J)