

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2033 of 2016

Arising Out of PS.Case No. -155 Year- 2015 Thana -KUDRA District- BHABHUA (KAIMUR)

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Manish Yadav @ Chandra Prakash Paswan @ Jhataku Paswan @ Jhataku
Yadav @ Manish s/o Alagu Yadav, R/o Village Pachwaniya, P.S. Chakiya,
Distt. Chandauli (U.P.)

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh 1 (App)

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

3 11-03-2016

Heard learned counsel for the petitioner and learned

A.P.P. representing the State.

The petitioner seeks bail in connection with Kudra P.S.
Case No. 155 of 2015 registered for the offence punishable under
Section 302 of the Indian Penal Code.

Allegedly, the petitioner was residing in rented room in
the house of the informant and the dead body of his wife was
found, having injuries of assault and further the petitioner was in
the room in the evening of the occurrence and he was in drunken
stage and accordingly it is stated that petitioner after killing his
wife fled away.

Submission is of false implication and that no one has
seen the petitioner committing the crime, the petitioner is a poor
truck cleaner. During investigation also no legal material has
come, the petitioner was not present on that date and the police
after adopting third degree method, has got recorded confessional

statement of petitioner and, as such, he deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of bail by submitting that in the room from where dead body was recovered, the petitioner was residing with his wife and witnesses have seen the petitioner in the evening of the occurrence and he was in drunken stage.

In the facts and circumstances stated above, considering that there is no eye witness of the occurrence 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 the learned Addl. Session Judge - 3rd, Kaimur at Bhabua in connection with Kudra P.S. Case No. 155 of 2015 subject to the conditions that one of the bailors must be 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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