

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2955 of 2016

Arising Out of PS.Case No. -724 Year- 2015 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

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Dina Sahani @ Dinanath Sahani Son of late Jaynarayan Sahani Resident of
Village- Kawalpur, Ps. Turkauliya, District East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr. Ram Shankar Das, APP

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

ORAL ORDER

3 15-03-2016 Heard the learned counsel for the petitioner and the
learned A.P.P. representing the State.

The petitioner seeks bail in connection with
Turkauliya P.S. Case No. 724 of 2015 registered for the
offences punishable under Sections 302, 201, 120(B) of the
Indian Penal Code and Section 3(2), (v) of the Scheduled Castes
and Scheduled Tribes (Prevention of Atrocities) Act.

Allegedly, the husband of the informant went at the
house of the co-accused Asha Devi who used to sell illicit liquor
and thereafter the dead body of the husband of the informant
was found thrown in paddy field near canal and accordingly, it
is alleged that the petitioner and two other co-accused after

killing the husband of the informant threw the dead body in paddy field.

Submission is of false implication and that besides suspicion there was nothing against the petitioner, there is no eye-witness of the occurrence, the witnesses examined during investigation have only stated that the deceased has worked as painter in the house of the petitioner and there was some dues of wages and for that the petitioner and others might have killed the deceased and as such the petitioner who is suffering in custody since 06.10.2015, deserves sympathetic consideration, to which the learned APP opposes.

In the facts and circumstances stated above, considering that there is no eye-witness of the occurrence, charge-sheet has been submitted and there is no change of tampering with the 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 the Learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Turkauliya P.S. Case No. 724 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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