

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6162 of 2016

Arising Out of PS.Case No. -50 Year- 2015 Thana -GAYGHAT District- MUZAFFARPUR

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1. Suresh Rai son of Late Shiv Balak Rai, Resident of village- Rosi
(Pachgadhiya), P.S. Gaighat, District- Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar

For the Opposite Party/s : Mr. Awadhesh Kr.Singh(App)

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

4 18-04-2016

Supplementary affidavit has been filed annexing the
affidavit and the application filed by Shanti Devi, the elder sister
of the deceased Sita Devi. Let it be kept on the record.

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 302 and 201/34 of the I.P.C

Allegedly, Sita Devi was married to the petitioner 20
years ago but out of the wedlock there was no issue and then the
petitioner performed marriage with another lady and then the
petitioner and his second wife started torturing Sita Devi and
ultimately killed her and burnt the dead body.

Submission is of false implication and that the
informant is the cousin of the deceased having greedy eyes over
the property, the own sister of the deceased has filed a petition

supported with an affidavit stating that Sita Devi died due to illness and further during investigation the witnesses vide paragraphs- 60, 61 and 62 of the case diary have stated that Sita Devi died due to illness and as such the petitioner who is suffering in custody since 26.06.2015 deserves sympathetic consideration, to which the learned A.P.P. opposes by submitting that other witnesses have supported the prosecution version and the petitioner is the husband.

In the facts and circumstances as stated above, considering that charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence 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 J.M. 1st Class, Muzaffarpur in Gaighat 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/-

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