

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32312 of 2016

Arising Out of PS.Case No. -153 Year- 2015 Thana -PAHARPUR District-
EASTCHAMPARAN(MOTIHARI)

=====

Saroj Devi, W/o Shrilaldeo Patel, resident of village- Amwa Brit, P.S.-
Paharpur, District- East Champaran

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Pramod Kumar Pandey, Advocate

For the Opposite Party : Mr. Sri Kumar Ranjit Ranjan(APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 10-08-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner wants to renew his prayer of bail,
which was earlier rejected vide order dated 18.01.2016 passed in
Cr. Misc. No. 42922 of 2015, on the ground that petitioner is in
custody since 08.06.2015. During trial the father of the deceased
has not supported the prosecution version and has turned hostile
whereas the informant, the wife of the deceased during cross-
examination has also not supported the prosecution version as
P.W.2 and P.W.4. There is no chance of tampering with the
prosecution evidence as such, petitioner deserves sympathetic
consideration, to which the learned APP does not oppose.

In the facts and circumstances stated above, considering that the informant during cross-examination and further the father of the deceased have not supported the prosecution case and as such, the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of the learned 4th Additional Sessions Judge, Motihari in S. Tr. No. 608 of 2015 arising out of Paharpur P.S. Case No. 153 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 her part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)

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