

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54540 of 2016

Arising Out of PS.Case No. -40 Year- 2014 Thana -CHAKAMHESI District- SAMASTIPUR

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Wakil Ram, S/o Late Mahabir Ram, Resident of Village- Kanua, P.S.-
Chakmehsi, Distt.- Samastipur. Petitioner

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner : Mr. Mukesh Kumar No-1, Advocate

For the Opposite Party : Mr. Iftekhar Mahmood (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 23-12-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with
Chakmehshi P.S Case No. 40 of 2014 registered for the offence
punishable under Section 302/34 of the Indian Penal Code.

It is submitted that petitioner is co-villagers and in
this case the father-in-law of the deceased has already been
allowed bail vide Cr. Misc. No. 31086 of 2015 by order dated
07.12.2015. The deceased was habitual drinker and when the
villagers and family members were all attending the marriage
ceremony the deceased committed suicide after hanging himself
with the rope and died and thereafter the informant being instigated by
some of the enemies lodged this false case, but knowing the reality
the informant has filed application in the court below wherein he
has not supported the earlier version. There is no specific allegation
against the petitioner and he is suffering in custody since



17.09.2016. Charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

Learned A.P.P. fairly submits that Umesh Ram has already been allowed bail.

In the facts and circumstances 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 execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of the learned A.C.J.M.-I, Samastipur, in connection with Chakmehsi P.S. Case No. 40 of 2014, 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.)

Rajiv/-

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