

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24356 of 2017

Arising Out of PS.Case No. -191 Year- 2016 Thana -KHAJAULI District- MADHUBANI

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1. Biltu Paswan Son of Late Jibachh Paswan, Resident of Village-Tulsiyahi, P.S.- Khajauli, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 18-07-2017 Heard learned counsel for the petitioner and the State.

Counsel for opposite party No. 2 has appeared and opposed the prayer for bail.

The petitioner seeks bail in Khajauli P.S. Case No. 191 of 2016 instituted for the offence under Sections-302/34 of the Indian Penal Code.

The petitioner is Bhainsur of the deceased who is in custody since 19-03-2017. It is alleged in the written report that Rani Devi, daughter of the informant had an altercation with villager Sulekha Devi wife of Kishun Paswan for money transaction. It is alleged that the informant received information that his daughter has died in the Sasural. Thereafter, the informant went there and found the dead body of his daughter hanging with a



rope. The informant suspects that this petitioner along with the wife has committed murder of the deceased on account of land dispute. The husband of the deceased was not present at that time.

C.D. has been received.

Learned APP has submitted that witnesses in their statements have raised suspicion against this petitioner. The postmortem report has been mentioned in paragraph-37 of the case diary wherein the doctor has found ligature mark around the neck and opined the cause of death as asphyxia by strangulation.

In such circumstances, besides suspicion, there is no allegation of any overt act against the petitioner and accordingly, prayer for bail is allowed and it is ordered that the petitioner named above, 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 in connection with Khajauli P.S. Case No. 191 of 2016 to the satisfaction of learned Additional Chief Judicial Magistrate-III, Madhubani subject to condition that both the bailors should be relatives of the petitioner.

(Sanjay Priya, J)

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