

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26778 of 2017

Arising Out of PS.Case No. -33 Year- 2017 Thana -PHULWARI District- PATNA

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1. Sujeet Kumar Son of Shri Awadhesh Paswan, Resident of Village-Supaul Tariya, P.S.- Mahua, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ansul

For the Opposite Party/s : Mr. Sri Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-07-2017 Heard the parties.

The petitioner seeks regular bail in connection with Phulwari Sharif (Janipur) P.S.Case No.33 of 2017, registered for offences punishable under Sections 302/34 of the Indian Penal Code.

Allegation against the petitioner is that he along with his wife strangulated the deceased causing his death.

Submission of the learned counsel for the petitioner is that it has come in the impugned order that the informant is eye witness of the occurrence and though two witnesses are only chance witness. There is property dispute between the parties, as such he has been falsely implicated in this case and he is in custody for about five months.



Heard learned A.P.P. and the learned counsel for the informant. They have opposed the prayer for bail stating that informant is eye witness of the occurrence and the other co-accused have been granted bail.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M., Patna in connection with Phulwarisharif (Janipur) P.S.Case No.33 of 2017.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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