

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28426 of 2017

Arising Out of PS.Case No. -229 Year- 2013 Thana -ATRI District- GAYA

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1. Munna Chaudhary, son of Shamdeo Chaudhary, resident of Village-Bhalua, P.S.- Atri, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Anil Kumar Singh 1

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 02-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in custody since 02.02.2017 in connection with Atri P.S. Case No. 229/13 for offences punishable under Sections 302, 201/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that while he was on duty he got information that a dead body of an unknown woman has been thrown in the pond of one Ravindra Singh. On the said information he went there and has seen a dead body. He gave information to the Atri P.S. Neighbouring people had been called to identify the dead body but none had identified the said dead body.



It has been submitted by the learned counsel for the petitioner that he is innocent, not named in the First Information Report and being the husband, he has been made accused in the present case. In fact, his wife had gone to her parental house and from there she has disappeared, for which the petitioner had no knowledge. He submits that no witness has deposed that he has seen the occurrence and the interested witnesses have only supported the prosecution case. He submits that he was living happily with his wife and no such overt act or any fight occurred between them.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate-I, Gaya, in connection with Atri P.S. Case No. 229/13, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station, who will file an affidavit stating his relationship



with the petitioner and that petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

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