

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 26248 of 2017

Arising Out of PS.Case No. -4 Year- 2016 Thana -GHONGHARDIHA District- MADHUBANI

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Dukhi Ram Son of Late Khudai Ram, Resident of Village- Karihar, P.S.- Ghonghardiha, District- Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate

For the State : Mr. Anish Chandra, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 01-07-2017

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in Ghonghardiha
P.S. Case No. 04 of 2016 dated 09.01.2016 instituted under Sections
302/201/120B of the Indian Penal Code.

3. The allegation against the petitioner and others is of
killing the niece of the informant.

4. Learned counsel for the petitioner submitted that he
was also an acquaintance of the father-in-law of the deceased, who
belonged to a different family and also does not reside in the house of
in-laws of the deceased. Learned counsel submitted that just because
he was an acquaintance of the father-in-law of the deceased, he has
been made an accused which is quite common in the present scenario.
It was further submitted that the petitioner has no criminal



antecedent.

5. Learned A.P.P. submitted that there is allegation against the petitioner also. However, he is not in a position to controvert the fact that there is no specific allegation of any overt act against the petitioner.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Jhanjharpur, District-Madhubani in Ghonghardiha P.S. Case No. 04 of 2016, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The petitioner shall cooperate in the trial and be present before the Court on each and every date. Failure to cooperate or appear on two consecutive dates, without sufficient cause, shall lead to cancellation of his bail bonds.

(Ahsanuddin Amanullah, J.)

P. Kumar

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