

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.19330 of 2017

Arising Out of PS.Case No. -144 Year- 2016 Thana -AADAPUR District-
EASTCHAMPARAN(MOTIHARI)

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Bhuwan Mian @ S K Munna son of Late Ali Hasan Mian, R/o village-
Jamunapur, P.S.- Adapur, District- East Champaran, at present resident of
village- Chhoti Kodar Jana, P.S.- Muffasil, District- Sahebganj (Jharkhand)
.... Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Karandeep Kumar

For the Opposite Party/s : Mr. Smt. Sharda Kumari

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 23-06-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Adapur
P.S. Case No. 144 of 2016 registered for the offences punishable
under Sections 341, 342, 323, 324, 307, 498A of the Indian Penal
Code and Sections 3 / 4 of Dowry Prohibition Act in which
Section 302 IPC was added later on.

Allegedly, in the house of the petitioner one injured
woman was found and it is alleged that the petitioner brought that
lady and he has injured her and fled away after leaving her in
injured condition. On the basis of statement of chaukidar the case
was registered. During treatment that woman died.

Submission is of false implication and that the status of
that woman has not been verified during investigation, nothing has



come that the woman was the wife of the petitioner, the petitioner used to reside in Jharkhand and only on the ground that the injured was found in the thatched house of the petitioner, he has been implicated in this case. The petitioner is suffering in custody since 20.09.2016, the Police got recorded confessional statement of the petitioner after adopting 3rd degree method which has got no evidentiary value in the eye of law and as such the petitioner deserves sympathetic consideration.

Learned APP opposes the prayer of bail by submitting that the petitioner was seen with that lady in the house.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned 13th Additional Sessions Judge, Motihari, East Champaran in S. Tr. No. 381 of 2017 arising out of Adapur P.S. Case No. 144 of 2016, 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)

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