

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53005 of 2016

Arising Out of PS.Case No. -178 Year- 2015 Thana -DHANAHAN District-
WESTCHAMPARAN(BETTIAH)

=====

1. Munna Kushwaha S/o Briksha Kushwaha @ Ram Prit Kushwaha
Resident of Village- Dahwa, P.S. Dhanha, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kr Singh No. 1

For the Opposite Party/s : Dr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 03-03-2017 Heard both sides.

The petitioner seeks bail in Dhanaha P.S. case No.
178 of 2015 under Section 302, 201/34 of the Indian Penal Code.

The informant, widow of the deceased, lodged the
case against unknown after recovery of dead body of her husband.
The informant alleged that she came to know that some altercation
took place while her husband was taking wine but the informant
did not disclose the name of petitioner.

The learned counsel for the petitioner submits that
there is no eye witness of the occurrence. Some of the witnesses
have disclosed that there was some altercation between the
deceased on the one hand and others but the witnesses did not



disclose the name of petitioner. For the first time in paragraph 37 of the case diary the Sub divisional Police Officer in his supervision note named the petitioner that it was the petitioner who had quarrel with the deceased and he strangled the deceased to death. It is submitted that the S.D.P.O. did not disclose the name of witnesses from whom he came to know about the occurrence.

The learned Additional Public Prosecutor has not disputed the facts.

Considering the facts aforesaid and the nature of allegation made against the petitioner, the above named petitioner is directed to 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 the learned Additional Chief Judicial Magistrate-I, Bagaha, West Champaran in Dhanaha P.S. Case No. 178 of 2015.

(Prabhat Kumar Jha, J)

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