

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.190 of 2017**

Arising Out of PS.Case No. -84 Year- 2015 Thana -JADIA District- SUPAUL

=====

Bijendra Sardar son of Baleshwar Sardar Resident of Village - Banshbari,  
Ward No. 4, East Manganj, Police Station - Jadia, District - Supaul.

.... .... Petitioner/s

Versus

The State of Bihar.

.... .... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Kumar Goutam, Advocate

For the Opposite Party/s : Mr. Bharat Lal, APP

=====

**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

5      22-03-2017                      Heard learned counsel for the petitioner and the  
learned A.P.P. for the State.

Petitioner is languishing in judicial custody since  
22.02.2016 in connection with Sessions Trial No. 146 of 2016,  
arising out of Jadia P.S. Case No. 84 of 2015 registered for the  
offence punishable under Section 302 of the Indian Penal  
Code.

The prosecution case, as lodged by the informant,  
is that petitioner, who is informant's son, assaulted his wife  
with Dabia and on the alarm, he went there and found her  
injured and during course of treatment, she succumbed to the  
injuries.



Earlier petitioner had moved this Court for bail in Cr. Misc. No. 15896 of 2016, which was rejected on 26.05.2016.

It has been submitted by the learned counsel for the petitioner that during trial, informant retracted from his earlier version, as he deposed that the First Information Report was lodged by the police after taking his signature on a plain paper. Deposition of the informant has been annexed with this petition and finds mention in the impugned order. It is further submitted that there was no single drop of blood near the place of occurrence, although the allegation is of killing the deceased by Dabia and charge-sheet has already been submitted. Many of the witnesses have not supported the prosecution case.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II, Supaul in connection with Sessions Trial No. 146 of 2016, arising out of Jadia P.S. Case No. 84 of 2015, subject to the



condition that petitioner will appear before the learned Court below on each and every date and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

**(Nilu Agrawal, J.)**

Arjun/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

